

THE  
Historical Register,

Containing  
An Impartial RELATION  
of all TRANSACTIONS, *Foreign*  
and *Domestick*.

WITH A  
*Chronological Diary*  
OF ALL

The remarkable OCCURRENCES,  
*viz. Births, Marriages, Deaths, Removals,*  
*Promotions, &c.* that happen'd in this  
Year: Together with the *Characters* and  
*Parentage* of Persons deceased, of emi-  
nent Rank.

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VOLUME XVII.

For the Year 1732.

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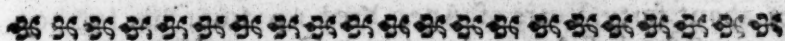




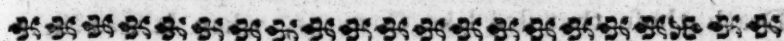
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T H E  
*Historical Register.*



NUMBER LXV.



P E R S I A.



THE Revolutions in this Country, tho' far remote from *Europe*, having been so extraordinary as to engage the Attention of curious Persons, especially during the present pacific State of Christendom, we have inserted such Advices as we could meet with, relating to this Kingdom; tho' by reason of the great Distance, such Informations must by the Nature of Things be very imperfect. The following Piece is of a different kind; containing an entire and continued Relation of some part of the extraordinary Events that have happen'd in this great Monarchy; and the Particulars it contains being remarkable and entertaining, we hope our Readers will not be displeased to meet with it here.

*Extract of a LETTER from Persia, giving an Account of what passed most remarkable in the Defeat of Sultan Esreff.*

PRINCE *Thamas*, third Son of *Shah Hussein*, late *Sophi of Persia*, having had the Happiness to make his Escape from *Ispahan* in the hottest of the Siege, under a Guard of five hundred Men, he retired into the Provinces which preserved their Fidelity to the King his Father; but wherever he came, he found every thing in the most dreadful Confusion. However, he raised what Forces he could, with whom he had Encounters with the *Georgians*, the *Osmanlous*, and other Rebels, Subjects of the Kingdom of *Persia*; but for the most part with Disadvantage, tho' he fought himself at the Head

of his brave Soldiers, till at last he was reduced to the Province of *Mazandran*, Part of *Chirvan*, and Part of *Corassan*.

So many Rebuffs, capable of cooling the Courage of any one but Prince *Thamas*, served only, as it were, to whet his; and at a time when his Affairs seemed to be the most desperate, Heaven raised him up a Deliverer in the Person of *Thamas Koulikan*. This Chan was a Lord of about forty Years of Age, bred up from his Infancy in the School of Arms, brave as a Hero, a Man of excellent Parts, frank and sincere, always rewarding those who behaved themselves like Men, and punishing with Death those that fled like Cowards, when it was their Duty to resist. He had always distinguished himself by his Capacity, his Bravery, and Fidelity; whereby he had so greatly insinuated himself into the good Graces of Prince *Thamas*, that that young King, entirely approving his Advice, resolved to pursue it, and to confide altogether in him. From this Time, that is to say, in 1728, that young Prince's Affairs began to take a better turn. The Royal Army which *Thamas Koulikan* had got together, was not numerous, but it was well paid, and well disciplined. The principal Officers and most of the Subalterns, were Men of the greatest Valour, personally known to, and chosen by *Thamas Koulikan*; and it was with such an Army, led on by such a Genius, that Prince *Thamas* took the Field. He first marched against the *Asdalis*, of whom he won three Battles in Person. He retook *Herat* and *Machat*, and afterwards, in the Course of that Year, reduced all the Rebels of *Corassan* and thereabouts. In these Expeditions, which were made in the Year 1728, all that were found in Arms were put to the Sword; but those who laid them down, and begged for the young King's Mercy, were spared, upon Condition that they should serve in his Troops, and that their Chiefs should send their Families as Hostages to guaranty their Fidelity. The Peace being thus settled on that Side, it was resolved not to go upon any other Enterprize that Campaign, but to put the Troops into Winter-Quarters upon the Frontiers, that they might be ready to act early in the Spring against the *Aghuans*, whom it was determined utterly to destroy.

The *Aghuans* are those famous Rebels, who marching from *Candahar*, brought under the Yoke, and laid waste the greatest Part of the Kingdom of *Persia* for almost eight Years: It was those Rebels, who, conducted as it were



were by the Hand of Fortune, took the City of *Ispahan*, dethroned *Shah Hussein*, and cruelly massacred an almost infinite Number of *Persians*. It was they, who after they had beat an Army of 120,000 *Turks*, obliged the Porte to make Peace with them, and to send them an Embassy equally scandalous and solemn, to recognize their Chief *Esfreff* in the Quality of King. And yet they were very far from being the brave Fellows they were represented to be; their Valour did not rise to the Standard of ordinary Men; and all their Policy went no farther than to murder without Mercy all the *Persians*, of what Rank soever, that gave them the least Uneasiness: So that one would think their Success was rather owing to Miracles, than the Effect of a regular and well concerted Behaviour.

The Rebels were so flush'd with such a Series of Success, that they fancied themselves the greatest Men upon Earth. *Esfreff* would no more condescend to take the Field, but lived at his ease at *Ispahan*, where he acted as if Fortune had been unchangeable; and all his Courtiers, by his Example, lived at the same Rate. They had all intirely forgot their Original, and their vile Condition when they were Slaves and Camel-Drivers. The immense Riches, of which they had despoiled the *Persians*, the Beauty of the Women and Virgins they had taken from them, the stately Houses they dwelt in, and the luxurious Way of living they were got into; all these, compared with their primitive Condition, were to them a Paradise of Delight in this World, like that which *Mahomet* in his *Alcoran* has promis'd his Followers in the other.

*Esfreff* being informed of Prince *Thamas's* Victories, and of the March of his Army, gathered all his Forces together, and took the Field to attack that Prince, flattering himself the more confidently with Victory, in regard he had never known the *Persians* stand before him. Prince *Thamas*, who for his Part languished with Impatience to come to Blows with the Rebels, made the necessary Dispositions to give them a warm Reception. He advanced but slowly, however; affecting a Kind of Fear, on purpose to draw *Esfreff* as forward as he could. At last the two Armies met at *Damguan*, a little Town upon the Frontiers of *Chirvan*. The Rebels began the Attack: The Battle was very bloody and obstinate on both Sides; but at length the Rebels betook themselves to their Heels; and abandoning their Cannon and Bag-

gage, they fled with so much Precipitation, that in twenty four Hours they made seven ordinary Days Marches, and arrived at *Tairon*, where they halted a Day; after which, still doubling their Marches, they pursued their Flight towards *Ispahan*. The Day after their Arrival, *Esfreff* order'd his Followers to retire with their Families and Effects into the Castle; which they did, after they had driven out the *Persians*, plunder'd, ravaged, and burnt all that belonged to them; and as soon as they had thus secured their Families and Effects, they took the Field again, and went and pitched their Camp ten Leagues from *Ispahan*, near a Village called *Machakor*.

Mean time the Royal Army continued advancing by regular Marches. *Thamas Koulikan* perceiving that Prince *Thamas* exposed himself too much in Fight, he begged him, in the Name of the whole Army, to stay at *Tairon* with a *Corps de Reserve* of 9 or 10,000 Men; which he did. The Chan pursued his March without any Resistance, and upon *Sunday* the 13th of *November*, 1729, about Eight o'clock in the Morning, he arrived within Sight of the Rebel Army. He marched directly up to them, receiving the Fire of all their Small-Arms without returning a Shot, till he arrived near their Battery, where he made his first and only Fire, in a manner close to them. This bold Stroke so frighten'd the Rebels, that they took to their Heels, and ran to *Ispahan*, where *Esfreff* arrived the same Night.

The News of this second Defeat struck general Consternation both in Natives and Foreigners, for fear they should be all massacred by those Barbarians; but the Almighty struck such a Terror into them, that they minded nothing but how to save themselves. The Calm and Silence which since *Esfreff's* Arrival had succeeded to Noise and Tumult, astonished all Mankind; but their Surprise was much greater, when they were informed early the next Morning, that the Rebels had taken Flight. They were assured by several Slaves who escaped out of their Hands, that they made that Day a Retreat of fifteen Leagues; that when they came to *Chiras*, they cut all the *Persians* in Pieces; and that *Esfreff* had carried off with him three hundred Camels loaded with Gold, Silver, and Jewels belonging to the Crown: That Chief of the Rebels likewise carried with him all the Princess's of the Blood Royal, except Prince *Thamas's* Mother, whom he did not know, she having always performed the Office of  
a Servant

a Servant in the Seraglio as long as the Rebels ruled the Roast, without being discovered by the other Women or the Eunuchs; which was a rare Instance of Fidelity. It is confidently affirmed, that the Princess was so transported with Joy, when she heard of the Tyrant's Flight, that she was beside herself for three Days, and did not recover her Senses till she saw and embraced her dear Son.

No sooner were the Rebels gone away, but the People began to plunder their abandoned Houses. This Plunder grew insensibly general, and lasted three Days, till *Thamas Koulikan* arrived. A great Number of *Aghuans* and other Rebels, who were either unable or afraid to go off with their Companions, and skulked up and down where they could, soon met the Fate they endeavoured to avoid; so that for several Days successively the Streets of *Ispahan* were as full of butcher'd Rebels, as they had formerly been of the Inhabitants of that miserable City.

Prince *Thamas* did not arrive at *Ispahan* till the ninth of *December*. *Thamas Koulikan* went to meet that Prince at the Head of 20,000 Men; and as soon as he came in Sight of him, he ran towards his Master, to prevent his alighting from his Horse; but the Prince graciously said to him, *Hold, hold; I have made a Vow to walk seven Paces to meet thee the first time I should see thee after thou hadst driven mine Enemies from Ispahan*. Whereupon the King dismounted, and having walked a few Paces, he sat down upon a Cushion, and drank Coffee with his General: After which they mounted again, and marched to *Ispahan*. Their Entry was more warlike than magnificent; but on the other hand, such a transporting and general Joy was hardly ever known upon the like Occasion. The *Sophi* spent some Days in receiving the Homage of the different Orders of the Kingdom. He likewise received the Compliments of Foreigners of Distinction, and was so affable to all Degrees of People, that he immediately gained all their Affection. Nevertheless, that Prince, in the very midst of his Pleasures, always betray'd a sort of Uneasiness and Melancholy; and when *Thamas Koulikan* told him it was now Time to forget his past Disgraces, he answer'd him, That if it was possible to forget the Injuries which his People had suffer'd, and the Disgraces of his Family, he could not help remembering that the Villains who butcher'd his Father, and murder'd his Brothers, were still at *Chiras*. The General, moved with this Discourse, immediately gave Orders



Orders for a speedy March ; for which every Thing was ready in four Days, and the Army took the Field toward the latter End of *December*.

*Thamas Koulikan* made so much haste, that in about twenty Days March, which cost him some Men, and more Horses, he came up with the Rebels, who were advanced two Days March on this side *Chiras*, and defeated them, notwithstanding the advantageous Post they had pitched upon ; but that General not thinking it proper to pursue them, the Rebels had Time to rally at *Chiras*. Here *Efref* held a great Council, wherein it was resolved to make a last Effort, and to attack the *Persians*. The Day that the Rebels marched out to put this Enterprize in Execution, *Efref* and his principal Officers stopped at the City-Gates, where they made the Soldiers and Officers swear they would conquer or die ; but they both swore to do more than they either could or would perform. They wanted both Strength to vanquish, and Courage to die. And thus were they beat at the very first Onset ; and forgetting their Oath and their Engagement, they betook themselves to their Heels. This Battle was the last and the most bloody. The *Persian* General suffered them to fly, and pursued them but slowly. *Efref* took that Occasion to put a Trick upon him ; for as soon as he got back to *Chiras*, he sent two of his principal Officers to treat of an Accommodation, who immediately offer'd to restore all the Treasure belonging to the Crown, provided they might retire with their Families where they pleased. *Thamas Koulikan* answered them, That if they did not deliver up *Efref* into his Hands, they should every Man of them be put to the Sword. The Deputies, the Intent of whose Embassy was only to amuse him, promised to do whatever he required ; but by that time they came back, every thing was ready for their Flight, and they were already got a great Way with their Families and Booty, when the General was inform'd of their Retreat.

The Rebels continued their March ; but as they kept no certain Rout, and all the Country was against them, the Peasants were continually harassing them. There was not a narrow Pass, but they were obliged to leave something behind them. At first it consisted chiefly of their heavy Baggage ; afterwards of their *Persian* Women and their Children. Every Night the Slaves turn'd aside, and got away with some of their Camels ; by which means Prince *Thamas's* Aunt and Sister, and some other Princesses,

Princesses, were brought back to the King's Camp. At last the poor Wretches, being hard pressed on all Sides, began to disband themselves, *Esreff* was left with 4 or 500 of his most faithful Friends; his Design was to return to *India*; but *Hussein Chan*, Brother to *Mahmout* or *Mirinweys*, who commanded in *Candahar*, being informed of his Design, intercepted him, defeated him, took from him the Remainder of his Treasure, and killed him. Thus perished that Usurper, who, after unheard of Cruelties, villainously embrued his Hands in the Blood of *Shah Hussein*, the last Sophi of *Persia*, the best, the mildest, and the most pacific Prince that ever reigned. And thus were destroyed and dispersed the most detested and blood-thirsty Usurpers that ever appeared upon the Face of the Earth.

Since the last Advices from this Country inserted in this *Register*, (N<sup>o</sup> LX.) the Informations coming from thence have universally agreed that Prince *Thamas* has been always attended with Victory and Good Fortune. Reports were indeed more than once set on foot by the *Turks* of his having received total Defeats; but it soon appeared that they were only raised to fill their own People, whom a long Course of ill Success had render'd unquiet and mutinous. The last Advices that came from this Part of the World, have brought the News of a Peace concluded between the *Persians* and *Turks*; by which the *Turks* oblige themselves to surrender to *Persia* all the Countries which they seized during the Rebellion of *Mirinweys* and *Esreff*, the Province of *Georgia* excepted: After which the two Powers are to join, and expel the *Muscovites* from those Parts of the Kingdom of *Persia* which are in their Possession, each Power being to retain the Conquests they severally make. This will open a new Scene of Action in those Parts, and may give rise to many extraordinary Events.



## G E R M A N Y.

**I**N our last *Register* we took notice that the Emperor had at length agreed to the introducing *Don Carlos*, second Son of the King of *Spain*, into the Territories of *Tuscany* and *Parma*; and that the Condition of this, was  
the

the Agreement made by *Great Britain* to guaranty the Disposal made by him of the Succession to his hereditary Dominions to the Female Line of his own Descendants. But the Consent of the Empire to that Disposition, (called in *Germany* the *Pragmatic Sanction*) being also necessary, he has issued out the following Commissorial Decree to the Diet at *Ratisbon*.

**F***Robenius Ferdinand*, Prince and Landgrave of *Furstenburgh*, Count of *Heiligenberg* and *Werdenberg*, Prince of the Holy Roman Empire, Knight of the Order of the Golden Fleece, actual Privy Counsellor to the Emperor, and his principal Commissioner to the general Assembly of the Empire, notifies by these Presents, in the Name of his Imperial Majesty, to the Counsellors and Ministers of the Electors, Princes, and States of the Diet; That the Series and Circumstances of Affairs past, sufficiently prov'd what his Majesty has done since his Accession to the Imperial Throne, to maintain and establish the Publick Peace and Tranquillity, to preserve the Balance of *Europe*, and to defend the Honour, Dignity, and Rights of the Empire, which he has always preferred to every other Consideration; and the Electors, Princes and States of the Empire will undoubtedly call to Mind what has been communicated to the Diet upon that Subject, by the Commissorial Decrees which have been from Time to Time deliver'd to them.

As it has pleased the Divine Providence so to bless his Imperial Majesty's just Views, that by the Treaty concluded the 16th of *March* last with the King of *Great Britain*, and by what has been since done in Consequence of that Treaty, sufficient Provision is made against the Dangers which seemed to threaten, and a solid Foundation is thereby laid, capable of preventing any Thing that might hereafter disturb the Peace and Tranquillity of *Europe*, and destroy the Balance thereof; hence it is reasonable, that on the other Hand the Empire should concur, by a general Resolution, to perfect that Work, for which so solid a Foundation is laid.

And to compass so desirable an End, his Imperial Majesty has thought fit to communicate to the Diet his Intention concerning the Guaranty of the Order of Succession in the most illustrious House of *Austria*, as settled by his Declaration of the 19th of *April* 1713, and entirely depends, that as the Power of the House of *Austria* has hitherto served as a Bulwark for Christendom, and  
will



will serve to defend the Liberties of *Europe*, and particularly those of his Imperial Majesty's most dear Country, against all Attacks; every State of the Empire will readily acknowledge, that upon the entire and undivided Preservation of that Power depends not only the Safety of *Europe* in general, but also the Good and Prosperity of the Empire in particular. His Imperial Majesty had no Intention, by the Settlement of that Succession, to aggrandize his Archducal House, but to preserve to himself, his Heirs and Descendants of both Sexes, in an undivided State, the Kingdoms and hereditary Countries which were given him by God, and which he actually possesses. That this Affair ought to meet with the less Difficulty, because the Order of Succession in the illustrious House of *Austria* has been grounded for some Ages upon the Privileges and Liberties, acquired with the Approbation of the Empire; upon the hereditary Compacts, confirmed by the respective Engagements and Acceptations here under-mentioned; which are already so strengthen'd by the Guaranty, as well of several Foreign Powers, as of the principal States of the Empire, that, if back'd by a Resolution of the Empire, it is hardly to be supposed that it will meet with Obstacles from any Quarter whatsoever. The Guaranty now demanded does not tend to prejudice any Person, but purely to defend every one's Right. And far from occasioning any Inconveniences to be feared in Time to come, there is no Method more proper or more sure than the said Guaranty, to prevent those which might happen, if for want of this Precaution, any Hope of Success were left to such, as by contrary Views would fain excite Troubles: And the Electors, Princes, and States of the Empire ought not to be ignorant, that those Troubles may happen, as well within as without the Empire; that they are capable of subverting its Constitution; and that its Members cannot help taking Part in them, whether they will or not.

As all this has been acknowledged by Foreign Powers, who are inclined to contribute on their Part to the Maintenance of the Publick Tranquillity, his Imperial Majesty trusting in the Zeal of the Electors, Princes, and States of the Empire, doubts not but they will readily accept the Guaranty of the Order of Succession in the Archducal House, as the same was settled by his Imperial Majesty's Declaration of the 19th of *April*, 1713, in the same Manner as it was accepted by the Crown of *England*, pur-

suant to the Treaty of the 16th of *March* of the present Year, communicated to the Diet; and that in Consequence thereof, they will send proper Orders, and such as will be agreeable to his Imperial Majesty, to their Counsellors and Ministers in the Diet of the Empire for that purpose.

His Imperial Majesty entirely relies upon the Empire's Consent in this Respect. He shall look upon it as an Acknowledgment of the Affection which he has always had, and shall always have, for the Electors, Princes, and States of the Empire; and he will own with Gratitude the Evidences of their Zeal for his Imperial Majesty and his Archducal House, &c. Done at *Ratisbon* the 18th of *October*, 1731.

*Sign'd,*

FROBENIUS-FERDINAND,  
Prince of *Furstenburg*.

This Pragmatick Sanction has met with great Opposition; the Electors of *Bavaria*, *Saxony*, and *Palatine* professing themselves entirely unsatisfy'd with it. The two former, on account of the Marriages of their Sons with Archdutchesses descended from other Emperors, thinking their own Families entitled to a Share of those Dominions, from which by this Pragmatick Sanction they will be forever excluded. The Court of *France* also, being very much displeased at the late Treaty of *Vienna*, which was concluded without their Participation, have also put all the Obstructions they were able in the Way of it. Nevertheless, it being order'd by the Treaty of *Westphalia*, which is one of the Corner-stones of the Constitution of the *Germanick* Body, that a Majority of Votes shall rule in all Affairs of the Empire; and the Emperor having such a Majority in the Diet at *Ratisbon*, those Powers will probably at last acquiesce.

This Affair of the Pragmatick Sanction being the most important that at present engages the Attention of *Europe*, we think it not improper to insert the following Piece, in which the Objections made to it by its Enemies are set forth in their full Light, and not without a great deal of Artifice.

*Reflections*

*Reflections of an Impartial German Patriot upon the  
Emperor's Demand of the Guaranty of the Pragmatick  
Sanction.*

THE Establishing of a Right of Primogeniture and Succession without Partition, in Favour of the eldest of the Arch-duchesses Daughters of the Emperor, and the Demand made for the Empire to guaranty the same *contra quoscunque*, is one of those Transactions of the present Age, which are of the greatest Importance for the Tranquillity of the Empire at present, and for its Quiet in Time to come. In a Country which has produced so many famous Lawyers, and in which the Civil Law is one of the principal Studies of those who have a Mind to qualify themselves for Business, it is natural that such a State of Affairs should give Occasion to the most serious Reflections, and to the most exact Enquiries into the ancient Customs, which may influence the *Germanick* Body in the Part they ought to take, with relation to an Affair which may be the *Æra* of their Happiness or Misery. In an Affair of so great Consequence, we cannot, without being guilty of a Neglect of Duty towards our native Country, leave buried in our Closet, the Reflections we may have made, when the Publication of them may be of Use in clearing up Peoples Doubts, and putting the Members of the illustrious *Germanick* Body in a Condition of judging for themselves upon clear and certain Principles of the Extent, and of the Consequences of the Demand which is made upon them.

That Rule of Succession which the Emperor wants to have strengthened by the Guaranty of the whole Empire, cannot but be liable to too many Objections; and it were to be wished that that Prince, in place of now presenting his *Pragmatick Sanction* as a Law made *proprio motu*, to which the Empire has nothing to do but to subscribe, had considered that the Empire, by all the Laws and Constitutions thereof, ought to have been consulted before any Regulation was made, in an Affair which concerns some of the Principalities or Fiefs of the first Class; in which no Alteration can be made, according to the Opinion of the best Lawyers, without the Consent of all Parties concerned, either directly or indirectly. This Conduct would have been agreeable to the Laws and Customs of *Germany*, and even seemed to have been the



Duty of a Prince, who is a Member of the Empire by the Means of the Estates he possesses therein, at the same Time that he is the Chief thereof, by the Dignity to which he has been exalted.

In order to explain this Matter, it will be necessary to establish some Principles, which we shall successively demonstrate, and from which we shall draw several Inferences of great Consequence to the whole Empire.

*First*, then, We shall shew, that the Rule of Succession established by the Emperor, is quite new, and contrary to the Customs of the Empire.

*Secondly*, We shall make it appear, that this Sort of Intail by a General Law, is contrary to Nature, and to the Constitution of most of those States of which the *Austrian* Dominions are composed.

*Thirdly*, From these two Principles we shall point out the Consequences of that Engagement, which is demanded of the Empire *contra quoscunque*; and from thence will naturally arise the Question, Whether or no it be convenient for the *Germanick* Body, to engage in that Guaranty which the Emperor demands? Let us begin then with the Proofs of these Positions.

Tho' the ancient Authorities which we are to bring, should not prove the first Principle we have laid down, yet the Conduct of the Court of *Vienna* is enough to make one suspect, that they are afraid of the Force and Weight of that Argument. The Age of the Emperor, which by the Course of Nature, promises him as yet a long Reign, was naturally a Motive for not precipitating and forcing a Regulation of so great Consequence, in case there had been nothing in it contrary to Law, and contrary to Custom. Yet that Prince has begun by making a Law himself for that Regulation. He has neglected nothing, but has turned his whole Thoughts towards getting the same approved of by all the Powers of *Europe*. The Suspicion he had that it would meet with Opposition from the Empire, is probably what determined him not to open the Affair first to the *Germanick* Body, tho' the Party principally interested therein, wisely foreseeing that such an Opposition being once discovered, would make the Foreign Powers more difficult to be dealt with. That Prince had it likewise in View, to make use of this as the principal Argument for determining the Empire, that the most Part of *Europe* had before consented. There is nothing but this Piece of Prudence which can justify the Court of *Vienna*, for  
having

having delay'd 'till now the consulting of the Empire; if the Declaration of a Law already made, and proposed as a legal Act of the Imperial Prerogative, can be called a Consultation. 'Tis true, this is not the first Example of the little Regard that has been shewn to a Body which ought to be respected; if we take Notice of this only, it is because this is of such Importance and Consideration, that it banishes the rest from our Thoughts, and makes them become almost insensible; and because there are authentick Records of them preserved in the List of Grievances, of which there are now in a Manner as many, as there are Articles in the Treaty of *Westphalia*, and in the Capitulation of the present Emperor.

*Germany* of old knew but little of the Custom of Indivisibility with respect to the great Fiefs: The Possessors always divided them among their Children, either by a Deed of Partition made in their Life-time, or by their Last Will and Testament: This is attested by *Engelbrechtus*, *Andrew Knichen*, *Paul Langius*, *Conringius*, and many others. History furnishes us with a whole Series of Examples, and the present State of *Germany* puts the Matter beyond Dispute; for in Place of the four great Dutchies of which the whole was formerly composed, we see it divided into an Infinity of little States; most Part of which owe their present Being to the famous Treaty of *Westphalia*.

Even when the Emperor *Charles IV.* gave, or at least prepared a new Relief for the *Germanick* Body, he established Primogeniture and Indivisibility only in the Electorates; he left untouched the Order of Succession, such as it had been from the remotest Antiquity, in all the other Principalities and Estates.

Yet that Regulation of *Charles IV.* did not hinder, but that the *Palatinate*, *Saxony*, *Brandenburg* and *Bavaria*, have since undergone a Partition: In Effect, our Ancestors could not easily accustom themselves to a Privilege, which they judged to be incompatible with that equal Tenderness, which Parents ought to have for all their Children; and what *Didacus Savedra* and *Fosnerus* have said of the Usefulness of Indivisibility, has not been much approv'd of.

It is no new Thing, it is true, for the Princes of the the House of *Austria*, to pretend to Privileges and Prerogatives, which are not enjoyed by any other; but by endeavouring to fortify their Pretensions against all Attacks,

tacks, they have furnished Weapons against themselves. How many are there of those innumerable Privileges insisted upon by the House of *Austria*, which owe their Origin to the fruitful Partiality of their Lawyers, and have gained what Credit they have only from the Weakness or Ignorance of their Opponents? Of this Sort, for Example, is that Constitution pretended to have been made by *Frederick I.* at *Ratisbon*, in the Year 1156, by which the *Austrians* have thought they could prove the Right of Indivisibility, and the Right of Primogeniture even among the Daughters of their House. Of this pretended Constitution these are the Words:

*Inter Duces Austria qui Senior fuerit Dominium habeat dicta Terræ, ad cujus etiam Seniozem filium Jure Hæditarario deducatur, &c.*

*Nec Ducatus Austria ullo unquam Tempore divisionis aliquis suscipiat Sectionem, &c.*

*Et si Dux Austria sine hærede filio decesserit, idem Ducatus ad seniozem filiam quam reliquerit devolvatur.*

But this Piece has been taken Notice of but by a few Authors, and even they have given us but a short Extract thereof: On the other hand, there are a thousand Facts and Circumstances in the History of those Times, which furnish us with almost certain Demonstrations against the Truth of this Act, and make us judge that the same was invented long after, when the Views of the House of *Austria*, by being more enlarged, came to stand in need of the Assistance of some Authorities mask'd under the Resemblance of Truth. These Facts and Circumstances must be reserved for a Treatise much larger than the present Design.

But even, supposing, for the present, that Piece to be genuine, what Inference can from thence be drawn in Favour of the *Pragmatick Sanction*? Let us take this Act of 1156 in its most extensive Sense, it can relate only to what is properly called *Austria*, and not to any even of those neighbouring States which have since been united thereto. That Act cannot be supposed to affect those Re-unions, which indeed might happen, but which could not then be imagined or foreseen. What we have now said is further confirmed by what has happened even in our Days, with respect to the Order of Succession in the House of *Austria*. That Act of 1156, was really no ways considered upon the Extinction of the Male Heirs of the Family of *Babenberg*, because *Rudolph*, Earl of *Hapsbourgh*, succeeded preferable to the surviving



ving Daughters of that House; and from that Time to the Time of *Frederick III.* it is certain, that the Right of Primogeniture has never once taken Place.

The Emperor *Maximilian I.* and King *Ferdinand* the Catholick, designed to make a Partition of their Estates between the two Brothers, *Charles* and *Ferdinand*. *Charles V.* yielded to his Brother all his *Austrian* Estates in Germany, and it was but by Piece-meal that the Crowns of *Hungary* and *Bohemia* were united upon his Head.

A Partition was made among the three Daughters of *Ferdinand I.* When *Maximilian II.* married his Daughter to *Philip II.* King of *Spain*, she made a Renunciation in Favour of his three Brothers, *Rudolph*, *Matthias*, and *Albert*, without any Mention of a Right of Primogeniture as to them.

The Family Compact made between *Philip III.* King of *Spain*, and *Ferdinand* Arch-Duke of *Stiria*; in short, the Partition since made between *Ferdinand* and his Brother *Leopold*, are so many recent Proofs, that the Estates of the House of *Austria* have not enjoyed the Benefit or Right of Indivisibility; and that as to this Matter, the most partial Authors in Favour of that House, have no Pretence for opposing the first Position laid down in this Dissertation. Let us add yet one other Argument to which no Reply can be made.

If these pretended Privileges had been well founded, what Necessity would there have been for those Renunciations, which among others were made by the Archduchesses Daughters of the Emperor *Joseph*? A Renunciation always supposes a Title according to Law: *Renunciatio habet tacitam Juris succedendi agnitionem.* So much Precaution would have been superfluous. And the Ceremony with which the Renunciations of the fore-said two Archduchesses were made, is it not, upon the other Hand, a tacit Acknowledgment that they were taking a Step contrary to the Order of Succession established in the House of *Austria*, viz. the Right of Partition?

But suppose this Position could be attack'd by any subtle Distinction, can the Testimony of the Treaties of *Rastadt* and *Bavaria* be withstood? By these Treaties the *Netherlands* are yielded to the Emperor, to be possessed according to the Order of Succession established in the House of *Austria*, and the States of *Nap'es* and *Milan* to be possessed as in the Time of *Charles II.* of *Spain*.

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Does not this Distinction and Diversity make a full Proof, that at that Time there was no Order of Succession established in the House of *Austria* that was uniform and common among all the Parts of their Dominions? Does not the Emperor himself seem to have acknowledged it, by accepting of a Cession made to him upon such different Terms, and which were diametrically opposite to the Settlement he had made with regard to his own House. But these very Treaties shall be examined more at length in the following Part of this Treatise, our Design here was only to give a new Demonstration of what we have advanced, from a publick Act of our own Days.

The Advocates for the House of *Austria* will without doubt ask, if the Novelty of this Settlement be any Reason for rejecting or condemning it, and will complain, that we seem to intend as if we would divest the Serene House of *Austria* of the Power of settling that Right of Primogeniture in their Family, which is already established in all the illustrious Families of *Germany*. This Complaint is certainly ill founded, because we have no such Intention. We know that the Princes of the Empire have, with the Consent of the Empe-

ror and Empire, such a Power; we will  
 \* *Tiragnellus*, even embrace the Opinion of those Law-  
 \* *Bestius*, *Mi-*yers \* who say that Women are capable  
 \* *lerus*. of exercising a territorial Power; and  
 consequently we agree, that upon this

Foundation the Right of Primogeniture may be established in Favour of Females; but let us acknowledge at least there is no Example in the Empire of any such Right of Primogeniture; and from this Acknowledgment, which no Man can refuse, let us proceed to make a second Remark; which is, that this Settlement, the more it is new, and even contrary to the Opinion of the great Lawyers, who look upon Divisibility as necessary and convenient, when *Estates* are far distant from one another, the more maturely it ought to be considered, and the several real and personal Interests examined by the Rules of Equity; we ought to judge of it with the more Rigour; and this we may do without injuring the Imperial Dignity, which ought always to be the Buckler of Justice.

It is then upon this Basis, and without any Design of attacking the Imperial Dignity, or of confining it within too narrow Bounds, that we shall proceed to examine the second Position.

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That such a Regulation as what we are now treating of may be valid, it is necessary, 1<sup>st</sup>, That it be not contrary to any Law. 2<sup>dly</sup>, That it be made with the Consent of all the Parties any Way interested therein. 3<sup>dly</sup>, That the Subjects and Provincial Communities confirm it by an Oath. 4<sup>thly</sup>, Lastly, That the Emperor confirm it by affixing his Seal thereunto.

It is not to be doubted but that the Laws, Rights, and Privileges of the States belonging to the House of *Austria* are contrary to the Settlement made by the *Pragmatic Sanction*, and consequently that Settlement is faulty even in the very first Point; which shakes it even to the Foundation. Let us take a View of the different States possessed by the House of *Austria*.

As to *Austria*, we shall not talk of the Territory of *Austria*, properly so called, or at least we shall agree, that since the Emperor may look upon it as the Inheritance of his Ancestors, he may, as absolute Master, dispose thereof, according to his own Liking; but for those Reasons we have before advanced upon our mentioning the Act of 1156, the same Judgment cannot be formed with Regard to *Carinthia*, *Tirol*, and that Part of *Swabia* which came not to the Possessor of *Austria*, but upon different Conditions, and by Virtue of different Titles, as may be easily proved from the History of each of those Estates.

With Regard to *Bohemia*, the Enquiry cannot certainly be favourable to the Views of the Emperor. For considering it only as an Electorate, it can never be subjected to the Law of Primogeniture as to Heirs Female, but only as to Male Heirs, as all the other Electorates are by Virtue of the *Golden Bull*; consequently in case of the Emperor's Death without Male Heirs, it will become a vacant Fief of the Empire, and cannot be disposed of but with the Consent and Approbation of all the Members of the *Germanick Body*. If we consider it as a Kingdom, we shall find, that it is a State which has in all Ages had a Right to choose its own Master, which Right has been often acknowledged by the Emperors, and among others, there is one very authentick Acknowledgment thereof in the *Golden Bull*, Chap. 7. Sect. 8. notwithstanding that the Authors who are Partisans of the House of *Austria* have endeavoured to give a quite different, but a constrained Turn to this Chapter; and that Kingdom has often exercised this

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Right, contrary to the Inclinations and Intentions of the Princes of the House of *Austria*, who in former Ages, as may be observed, addressed themselves to the Assembly of the States of *Bohemia* only by Petitions and Recommendations.

It is true, that the House of *Austria* ever since the Revolution, compleated by the unlucky Affair of *Prague*, have pretended that the People of *Bohemia* have forfeited all their Privileges: But can it in good Earnest be supposed, that an Event purely accidental, which fell out at a Time when the whole Empire was in Combustion, and was even occasioned, as we may very well say, by the Conduct of those put in Authority by the Princes of the House of *Austria*, can be capable of abolishing and destroying Rights so ancient as those of the Kingdom of *Bohemia*, and which have been confirmed by a constant and unvaried Custom? Can one suppose, with any Shew of Justice, that from thence *Bohemia* is become legally an Inheritance of the House of *Austria*, and that upon the Failure of Heirs Male of that Family, the States of *Bohemia* ought not *Jure Postliminii* to enter upon the Enjoyment of the Privilege they have of raising to the Throne which-ever of the *Austrian* Princesses they shall think fit? Nothing is more unjust than to think of determining their Choice, and nothing will be more contrary to Reason than to look upon as sufficient a Consent which has been or may be wrested from the States of *Bohemia* by the Authority of the Emperor.

For in Effect, who can believe that those States dare shew the least Opposition to whatever the Emperor requires of them? And yet can we say that they have by any voluntary Act whatever submitted to the Condition of being an Inheritance of the *Austrian* Family? This is nevertheless the only Thing that can make us suppose that the Fief has changed its Nature, and even this would not be a sufficient and full Proof. We must therefore conclude, that nothing is more contrary than the *Pragmatick Sanction* is to the real Nature and fundamental Constitution of the Kingdom of *Bohemia*.

As to *Milan*, within that Dutchy we have always seen the General Lineal Succession observed, and though the *Austrians* maintain, that the Cessation of the Rights of *Mary Therese*, as to which the 30th Article of the Treaty of *Baden* may be looked upon as a Renunciation, has made the Rights of *Mary* the Grandmother of *Charles VI.*

revive,

revive, which would be a great Question in Law; yet it is no less true, that the Dutchy of Milan is a great Fief of the Empire, and that it is comprehended in the Engagement which the Emperor has entred into by his Capitulation, *Article 11.* By which he engages To reunite all such Fiefs to the Body of the Empire for the Support of the Imperial Dignity, &c. But can it be supposed, that the Renunciation made by France can prejudice the Rights of the Empire, or that the Empire by its general Ratification of that Treaty designed to give up any Right, or that such a Ratification without a formal Clause for that Purpose can extinguish an express Engagement contained in the Imperial Capitulation? Besides, it must be acknowledged that we are most strangely and monstrously in the Dark with respect to the true State of the Fief of Milan. We are ignorant whether the Emperor has taken the Investiture to himself, or given it to his Daughter: If we suppose the last Case, it would be another great Absurdity, because there is no one Example in the Empire of such a Fief's having been given or promised to one under Age; it would be even contrary to the Customs of the Dutchy of Milan, which do not admit that a Stranger should become the Sovereign of that Dutchy, so that in such a Case they would have a Right to demand of the Emperor, whom he proposed to take for his Son-in-law, to the End that they might be in a Condition of forming a Judgment: *Num Maritus sit fœudi capax?* How many Lawyers are there who lay it down as a Maxim, and prove it by a great many Examples, that a Princess neither can nor ought to determine herself in the Choice of her Husband without consulting the Assembly of the States of her Country? Such as *Betsius, Milerus, Arniseus, Befoldus, &c.* So that with Regard to the Dutchy of Milan, the *Pragmatick Sanction* is an Act of Violence, the Irregularity of which is no ways amended by the Steps taken for having the Consent of the Empire, because the Law having been first made *Proprio Motu*, there could be no other Design in it, but to force and compel the Germanick Body, and even their acquiescing would correct but imperfectly this fundamental Defect in the *Pragmatick Sanction*. Regularly then, and according to the *Caroline Capitulation*, the Dutchy of Milan ought to go to him, who, after the Emperor's Death, without Heirs Male, shall be crowned Emperor of Germany. Would the Emperor by this

Settlement insinuate, that the Husband of his Daughter should have a Right to that Crown? No, one cannot believe, that that Prince would shew to the Empire, beforehand, the Chains which he was preparing for them. We must here take Notice of a Story related by *Goldastus*. It is the Answer which *Maximilian* made to *Louis XII.* who was endeavouring to make good the Right he had to the *Milanese*, viz.. *Louis cannot, according to the Laws and Customs of the Empire, be the Heir to the Milanese, for the Fiefs of the Empire never go to Females.*

There will also be more than one Objection to be made with Regard to the *Naples* and *Sicily*. There is no doubt but that the Emperor has failed in his Duty towards the Pope in some essential Points, and in a Manner, which strictly speaking, would annul the Imperial Settlement, since it must be disobliging to the Court of *Rome*, which has a Right to insist upon being advised with before any Disposition should be made of a Fief holden of the *Holy See*. So that tho' the *Germanick* Body may not directly have any Complaint to make, yet surely a false Step, which may some Day or another be so justly resented by the *Holy See*, is a strong Reason for them not to charge themselves with a *Guaranty contra quoscunque*. And this Resentment would probably have broke out before now, if the Imperial Power in *Italy*, as well as in other Places, did not stop the Mouth of every one that has Reason to open against those Impositions, to which only that Power owes its Support, and not to the Justice of its Pretensions.

It would be easy to make it as clear as *Sun-shine*, that the *Hungarians* have always had a Right of Electing their Kings, and that there has been no Artifice left unemployed, from Time to Time, for effacing the least Mark of this Privilege. But these Efforts have all been in vain; History is full of Facts which prevent our forgetting a Truth that has always been troublesome to the House of *Austria*.

The Regulation that was made by King *Andrew* in the Year 1222, is one of the most authentick Documents of the Privileges of the States of *Hungary*. He thereby declared, That the States should for ever have the Privilege of a free Election; he added thereto only one Clause which is of Importance enough to be inserted



serted here, *Quod si vero nos vel aliquis Successorum Nostrorum aliquo unquam tempore huic dispositioni nostræ contra ire voluerit, liberam habeant harum Autoritate, sine nota alicujus Infidelitatis, tam Episcopi quam alii Jobagiones ac Nobiles universi & singuli presentes & futuri posterique, resistendi & contradicendi Nobis & Nostris successoribus, in perpetuum Facultatem.* As this Declaration is the most solid Support of the Hungarian Privileges, the Austrians in Support of, or at least to give Colour to their Pretensions, adduce the Decree of the States of Presburg in the Year 1687. The tumultuous and illegal Manner in which that Decree was obtained, may furnish sufficient Reasons for defeating the Validity thereof: But without undertaking so tedious an Enquiry, it is sufficient to make it appear that the Austrians are ill founded, when they pretend, that the Decree of 1687, entirely destroys what is established by that of 1222, relating to a free Election. In Effect, the Decree of 1687 does not really destroy any Thing, but the Clause, *Quod si vero nos*, because it appeared contrary to the Dignity of a Sovereign, and was liable to many Inconveniencies. In the third Article of this last Decree, the Emperor Leopold promises in his own Name, and in the Name of the King of Spain, and all the Heirs Male of the House of Austria, That the Order of Succession in the Terms of Art. 31. of the Decree of 1222 shall be observed in Case of Failure of Heirs Male.

The Emperor Joseph himself, when he took the Oaths as King of Hungary, promised in the most formal Manner, to observe the said Decree of King Andrew, except only that Clause in the 31st Article, which begins with the Words, *Quod si vero nos*, and ends with those Words, *in perpetuum facultatem.*

Is not that Part of the Emperor Joseph's Oath a Consequence of Leopold's Declaration before mentioned? and can any one better describe the true Extent of the Engagements which the Kings of Hungary are subject to and ought to perform? So that in all this there is nothing contrary to the Freedom of Election, at least upon the Failure of Heirs Male in the House of Austria.

This Truth is clearly demonstrated by the Declaration which the Assembly of the States at Presburg made in 1687. Art. 2, 3. These are the Terms :

*Si in recolendam Memoriam beneficiorum quod sua Casarea Majestas immanem Christiani Nominis hostem a dulcissima patria propulsaverit, illos & non alios pro Regibus suis hæreditarios in perpetuum habituros esse quam eos, qui ex propriis altæ memoratæ suæ Casaræ & Regiæ Majestatis Lumbis descendunt masculos primogenitos & hæredes jure primogeniture & Sanguinis sibi in infinitum succedentes.*

*Quod si vero ejusdem Majestatis Casaræ Semen masculinum deficere contingeret, ex tunc succedat in Regnum Hungariæ & Partes eidem annexas Serenissimi Hispaniarum Regis Domini Caroli II. ordine Primogenituræ mascula progenies.*

But this is not all, they afterwards foresaw what would happen in case of no Male Heirs of either Branch : And therefore it is added in such Case.

*Tunc avita & vetus approbata Consuetudo in Electione Regum suum Locum habeat & ad Mentem, Art. 31. de Anno 1222, observetur.*

What can be more clear than this Regulation, which provides for every Case that could be foreseen by human Prudence. Could they imagine that any of the Successors would undertake to make a contrary Regulation ? If that had been possible, would the Assembly of the States of *Presburg* of 1687, ever have consented to the Suppression of the Clause *Quod si vero nos* ? They depended upon the Faith of the House of *Austria*, from whom they at that Time received so many reiterated Assurances of Sincerity.

It cannot be said that these People have forfeited all their Privileges by the Revolts and Civil Broils which have been in *Hungary*. Let us suppose for once, that these Malcontents were in the Fault. Is there any Rule in the Law of Nations, or any Opinion of Lawyers, which can give any Foundation for maintaining that a whole Nation ought to be punished for the Crime of a Few ? This would be too monstrous a sort of Law. Besides, did not the Emperor *Leopo'd* himself, in the Year 1687, grant a full Pardon to *Tekeli*, and all his Party ? Did not the Emperor now upon the Throne, after the Troubles which happened in *Hungary*, even in this Age, grant a general Amnesty to the Malcontents of that Country, dated May 27, 1711 ; and did he not, at the same Time, confirm the Privileges of that Nation on the following Terms :

*Regni Hungariæ & Transylvaniæ juribus, Libertatibus & Immunitatibus inviolatè & sanctè confirmatis.*

It was only in Consideration of this Covenant *Sine qua non*, that the Malcontents took the Oath of Fidelity, the Terms of which it is proper to relate.

*Postquam Sacratissima sua Majestas Regni Hungaria & Transylvania Jura, Leges & Libertates, tam in Politicis quam in Ecclesiasticis, per se, suosque Successores Sancta conservanda promiserit, Ego juro per Deum vivum.*

In this Case there does not remain so much as that unjust Pretext which wicked Counsellors may have sometimes suggested to their Masters, That no Prince can be bound by the Engagements of his Predecessor. It is the Emperor now reigning that bound himself, or that has taken upon him all the Engagements of his Predecessors. Whatsoever personal Interest the Emperor may have for making so new a Settlement, can there be any Reason for the States of *Hungary* to deprive themselves of a Privilege so ancient and so authentick? And the Emperor, if he be rightly advised, can he expect that these ancient Privileges will not some Time or another be powerfully set up against the Execution of a *Pragmatick Sanction*, which reduces that great Kingdom to the Form of a simple *Austrian* Province?

This Subject is inexhaustible, but we are resolved to confine these our first Reflections within narrow Bounds. We must therefore here content ourselves with shewing, by a short Sketch, the true State of the Case.

We shall not even enter into any of the Particulars relating to the *Nether- Netherlands*. lands, but only take Notice how singular it is to see the Order of Succession, which was established by *Charles V.* which has been observed for so many Years, which the Emperor now reigning has himself acknowledged; and according to which, the *Netherlands* were yielded to him by the Treaties of *Rastadt* and *Baden*. It is singular, we say, to see this Order of Succession quite altered on a sudden. For it cannot be supposed, that any of the Articles of these Treaties relating to the Resignation of those Countries, can imply a tacit Acknowledgment of the *Pragmatick Sanction*, because it was made a few Months before the Conclusion of those Treaties. The *Pragmatick Sanction* was a Private Family Compact, unknown at that Time, and of which they did not so much as dare to speak; and it cannot well be conceived how the Emperor could pretend,



tend, or hope to reconcile two Things so contrary the one to the other.

By this short Account it may sufficiently appear, that this new *Pragmatick Sanction* is contrary to, and inconsistent with the Laws, the Customs, the Usages and the Privileges of almost every one of those Estates, which are in the Possession of the Emperor.

One of the necessary Conditions for rendring the *Pagmatick Sanction* of any Force is, the Consent of all Parties that may have any Interest therein. We do not propose so much as to touch upon the Validity of those Renunciations that are known, such as those of the Archdutchess's Daughters of the Emperor *Joseph*. We must have a Veneration for such, in order not to overturn the present Systematical State of *Europe*.

But can any such Renunciation be of any Force against the Right of a third Party? Even the most exact Observance of them does not at all insure the Success of the Emperor's Designs.

It is not enough to have the Consent of some of the Parties; the Consent of all is necessary. The Consent, even of the present Emperor's youngest Daughter, is necessary; but that Princess is under Age, and there are innumerable Examples, where the *Aulick Council*, under the Authority of the Emperors, have refused to confirm Settlements of Primogeniture, when there were Persons concerned who were not of Age to give their Consent; there are even few or no Examples of any Settlements of Primogeniture that have taken Place while there were any Infants concerned; or at least, in such Case the Rule has been to name Guardians, who might engage for the Infants; and promise, upon Oath, an Act of Confirmation as soon as the Infants came of Age. Yet it does not appear, that in this present Case, they have observed any of those Formalities.

Any Renunciation that may have been made by the Queen of *Portugal*, who was married before the *Pragmatick Sanction* was made, cannot be sufficient for answering all that is necessary upon her Part to be done for confirming the *Pragmatick Sanction*, since no Renunciation can ever be interpreted to be a direct Consent to what does not then exist. Then the Consent of all the Children born of that Marriage is in this Case indispensably necessary; and we may venture to say, that the Empire cannot, without a very great Risk, nor without  
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authorizing, in some Manner, a Breach of the Constitution, Guaranty the *Pragmatick Sanction* as long as there wants any necessary Step for making it legal.

After the Consent of all the principal Parties interested is obtained, it is necessary to have that of the Subjects and Provincial Assemblies of every Part of the *Austrian* Dominions, which is the third Condition we have laid down as necessary and indispensable.

Among others, the Example of *Rudolph I.* and *Matthias*, shews what we say to be true. The last, particularly, when he resigned *Austria* to his Uncle *Ferdinand*, would he have asked or sought after the Consent of the Provincial Assemblies of *Austria*, if there had been no real Obligation upon him to do so?

And this is still more necessary in a Country where there is an Assembly of States possessed of a Legislative Power, and of a Part of the Supreme Authority. Such are *Bohemia* and *Hungary*.

We must however acknowledge, that this is one of the Points of this Dissertation in which the *Austrians* have the greatest Appearance of Advantage, because they will maintain that to be a free Consent, which has nothing else but the outward Appearance of Liberty, being at the Bottom only the Effect of an absolute Authority, which none of the Parties concerned durst openly oppose. But even as to the Consent, after what has been said as to the Point of Law, can it be believed, that the Parties interested have neglected the only Remedy which they can have, and are in Equity intitled to against Oppression and Power? We mean that of *Protesting*. We know that there have been a great many *Protests* made in *Hungary*, and it can hardly be doubted but that the same Remedy has been made use of in other Places. Though there is not now any publick Proof thereof, yet it may in Time become manifest; but then it may unluckily happen to be too late for those who have had the Complaisance and Weakness to huddle Things up in the Dark.

But is the Emperor in a Condition to produce before the Dyet a Consent, let it be of what Kind it will, from every one of the different Parts of his Dominions? Can the Dyet dispense with the Requiring to see the Documents of such Consents, or if in this any Thing be neglected by the Dyet, will it not be a new Proof of the Influence of Authority, and at the same Time a Defect which may afterwards be taken hold of by those who

are rigid Explainers of the Law, and insist upon it that in such Cases every Thing ought rigorously to be observed?

Lastly, it is necessary to have Letters of Confirmation from the Emperor and from the Empire. This is a Principle that arises from the constant Usage of the Empire. Two of the most famous, are those of the Houses of *Hesse* and *Brunswick*. But here a Question may be started, to wit; Whether the Emperor has any Occasion for such a Confirmation, because he himself, together with the Empire, is the Dispenser of all Favours to others? We must here return to the Principle we have before established, that in the present Case the Emperor ought to be looked on as a Member of the Empire, and depending upon the Determinations thereof, separately and abstractedly from the Quality he has as Chief of the Empire. Was not the Emperor *Frederick III.* obliged to ask of the Empire, a Confirmation of some Privileges in Favour of several Princes of his own Family? It may here even be asked, if the Emperor can be a Judge in his own Cause, and if his Vote in any Case of this Nature be of any Significancy? There has been a Time when one might have ventured to bring this Point into Doubt, and there are even Examples, where the *Bohemian* Vote has been excluded, when any Personal Affair of the Emperor's was in Question. Now-a-days one can hardly expect to see any true and solid Principles prevail in such an Affair; but before the Empire has decided and given their Act of Confirmation, we must lay before them a Question in Law, which *Ludolph*, one of the most famous German Lawyers, proposes to himself in his Treatise of Primogeniture, *Of two Brothers*, says he, *who are possessed of different Estates, one dies without Children; his Estate goes to the other; ought such Estates, after the Death of the last Brother, to go to the Eldest of the Children, or ought they to be divided among them?*

This Learned Lawyer decides, That if these united Estates have been before separately possessed, and the Union be not made with all the Forms necessary in the Rigour of Law for making them one Inheritance, they must of new be divided among all those who have an equal Right, and the Eldest cannot justly pretend to exclude the younger Children. So that an accidental Union ought not to alter the Nature of Fiefs, it would be doing an Injury to them, because it would be putting them under a Sort of Reciprocal Servitude,



Servitude, which would affect the Independency of each of them. *Grotius* is of the same Opinion, in his *Treatise of the Law of Nature and Nations*, Book XII. Chap. ix. Sect. 9.

Let us now come to the Application. The Estates of *Austria* have been past Memory of Man, as we have made appear, subject to a Partition, and even in our Days we have seen a Partition made of the most of those Estates, which are now re-united in the Person of *Charles VI.* This then is exactly the same with the State of the Case in the Decision which we have now related.

If there now remained any great Men, such as *Ludolph* and *Grotius*, they would make no Doubt of deciding in Favour of the Right of Partition, as being more conform to the Purity of the Law, and more agreeable to the Maxims of Equity. In short, it is not to be doubted, but that the Empire, of whom so dangerous an Engagement is required, is ignorant who is to be the Son-in-Law whom the Emperor is to chuse for the eldest of the Archdutchesses his Daughters, and consequently, whether that Son-in-Law be capable of possessing a Fief of the Empire: *Num sit Fœdorum Capax*, as we have before said. This, then, is not an equal Demand. To endeavour to obtain a Guaranty, when the Consequences thereof depend so much upon the Choice of a Prince for whom a Determination is soliciting to the Prejudice of the Usages, the Laws and Customs of *Germany*, seems to be pushing the Imperial Authority a little too far.

The Emperor's Demand does, indeed, seem to require the most serious Attention. The *Guaranty contra quoscunque* is of a prodigious Extent. It is a Demand that the Empire should determine against the Right of a third Party, a Thing contrary to that Rule of Law which even the Emperor has taken so much Care to observe, that in all the Decrees made by him, by virtue of his own Authority singly, or by virtue of his Authority joined with that of the Empire, there is a formal Provision always made by a saving Clause in favour of the Right of all third Parties: A Clause, however, which the Emperor does not now incline to admit of in the Resolution of the Empire, *Gleichs Gutachten*, because, though it is generally a Menace against such third Parties, yet it would contain a Sort of Reserve, which is always agreeable to Justice, but not at all to the present

Views of the Court of *Vienna*. This Demand seems to be as if it were intended to make the Subjects to take up Arms against one another, and to entail a Bloody War upon the Empire, which is contrary to one of the Clauses of the fourth Article of this present Emperor's *Capitulation*.

What Right has the Empire by their Decision to take away the Privileges of States, which, tho' they now belong to a *German Prince*, and to the Head of the Empire, may one Day, by an Effect of their natural Liberty, have nothing further to do with *Germany*? And have not those States good Reason to complain, when they see the *Germanick* Body arrogate to itself a chimerical Right, and set itself up as Judge in Matters which are no way under its Jurisdiction.

The *Pragmatick Sanction*, as to some of its Consequences, is as much contrary to the 2d, as to the 11th Article of the present Emperor's *Capitulation*.

The Treaties which the Emperor has made with foreign Powers for guarantying the *Pragmatick Sanction*, are contrary to the sixth Article of his said *Capitulation*, viz. *That the Emperor shall make no Treaty to the Prejudice of the Empire*; what can be more to the Prejudice of the Empire, than to see an Order of Succession established by foreign Treaties, before the Empire itself has determin'd any Way therein, nay, before it has been so much as consulted upon the Head?

The same Guaranty may embroil the Empire with some of the Great Powers of *Europe*; for the Tranquility of the Empire, is founded upon the Observance of the Treaty of *Baden*. The exact Observance of Treaties is in a great Measure, and in most Cases, to be determin'd by the Manner in which People conform themselves to that Spirit which is the Basis of the Treaty. But it is certain, that the Spirit which appears to have been the Basis of the Treaty of *Baden*, does not suppose such a general Order of Succession as is now about to be establish'd, since there are two Orders of Succession imply'd in that Treaty. This is then a Design to change the System of *Europe*, for the establishing of which, that Treaty was negotiated and concluded. We were by our Ratification, contracting Parties therein. How can we give any Countenance to so evident and considerable an Alteration of the Treaty, without exposing ourselves to the Resentment of the *French*, who in such Case would have Reason to demand Satisfaction? Would  
not

not any Alteration upon our Part be the same Thing, as if *France* or *Spain* should take any Measures for changing that System of Successions, which has been thought necessary, and which paved the Way for re-establishing the Peace of *Europe*, and for putting an End to a bloody and destructive War?

The Emperor, upon the like Occasion, would not fail to represent to us, that the System of *Europe* was overturn'd, and to excite us against an Alteration made contrary to the Spirit of Treaties: Is it proper for us to give so dangerous an Example? In Place of giving our Assistance, ought we not to make our humble Remonstrances to his Imperial Majesty, and can he dispense with giving an Ear to our just Apprehensions?

Ought not the Experience of what is past, make us consider well our own Interest? Have we not seen the Emperor *Charles V.* prepare the Way towards getting his Brother *Ferdinand* crown'd King of the *Romans*, by resigning to him the *German* Estates belonging to the House of *Austria*? Could the Measures taken, or the Opposition made by our Ancestors, prevent the Success of *Charles the Fifth's* Designs? Ought we not to be afraid lest our Guaranty may open the Way to a second Example of the like Nature? and can we expect to be heard, when we claim a Compliance with that Article of this Emperor's Capitulation, by which it is said, *That, without Necessity no King of the Romans shall be made*? Moreover, *Charles V.* had a Pretence which the present Emperor has not, that is to say, the Care he then had of the Government of *Spain*, which might divert that which he ought to have had for the Government of the Empire.

Are we ignorant of the Fate of Testaments or Settlements relating to Matters of such Consequence? The exhausting almost all the States of *Europe* affords us every Day a melancholy Reflexion thereupon. Will our Accession put any Stop to those, who when the Case happens, may resolve to set up Pretensions which they shall look upon to be well founded? Why should we make ourselves Parties in an Affair whose Consequences we do not know, or rather, whose Consequences appear to be too considerable? Let us put up our most sincere Prayers to God for the Preservation of the present Emperor, but let us leave to Providence the Care of so great Events. All our Foresight is of no Use with respect to the Immutability of his Designs. Let us therefore delay determining ourselves, 'till the Circumstances



cumstances of Affairs will admit of our determining, that what we do is done for the Welfare, the Tranquillity, the Happiness, and the Glory of our dear native Country.

Another material Occurrence in the Empire is the Persecution of the poor Protestants in the Dominions of the Archbishop of *Saltzburgh*; concerning which it will be proper to lay before the Reader the two following original Papers; which give the best Account of what is said by both Parties thereupon.

*The Archbishop of Saltzburgh's DECREE for expelling his Protestant Subjects.*

**WE** *Leopold*, by the Grace of God Archbishop of *Saltzburgh*, Legate of the Holy See, Apostolical and Primate of *Germany*, &c. to all our Vice-Deans, Bailiffs, Provosts, Governours, their Substitutes, Judges, and to all our Officers and Subjects, greeting. Know ye, that having heard, contrary to all Expectation, that a great Part of our Subjects, living in the Mountains, had rebelled against us, their lawful Prince, under Pretence of Persecution in Matters of Religion, and other Oppressions on the Part of our Officers, and had of their own Motion stirred up a Sedition, so much the more criminal, because it is directly contrary to the natural Laws and Constitutions of the Empire; and being desirous, in order to prevent the Consequences of so great a Misfortune, to make use of our paternal Clemency, before we inflict upon them the Punishment they have so justly deserved, by redressing their Grievances in a proper manner, according to Justice; we did, without Loss of Time, on the 9th of *July* last, appoint Commissioners, and ordered them to repair to the Mountains forthwith, to enquire into the Grievances of our Subjects, and give us an exact Account of the same. The Commissioners we sent thither were not wanting in the Discharge of their Duty; they went from District to District; they took an Account of the respective Grievances, both Civil and Religious; and after they had enquired into them, they eased some, and entirely redressed others, to the Satisfaction of the Mutineers; who, especially those who had declared to the Commissioners, that they made Profession of the Evangelical Religion, or the Confession of *Augsburg*, unanimously and voluntarily declared and  
promised,

promised, that they would inviolably preserve the Fidelity which was due to us as their Lord and Prince; that they would pay all the Obedience and Respect due to the Spiritual and Temporal Regencies; that they would avoid all unlawful Assemblies; that they would raise no Commotions; that they would not molest the Catholicks with Threats, with preaching in Publick, or otherwise, and that they would not undertake any thing that was contrary to the Oath and Duty of faithful Subjects, or that might disturb the publick Safety and Tranquillity; in Return for which, the Commissioners promised them, with our Approbation, and until we should publish our Resolution upon that Subject, agreeably to the Constitutions of the Empire, that every one of them might exercise his Religion in secret at his own House, provided they forbore Preaching and Assembling in an unlawful Manner. Nevertheless, we have since heard, to our Sorrow, that the Rebels, immediately after the Departure of the Commissioners, without any Regard to their own Promises, or to the wholesome Admonition that was given them, began again to assemble themselves in a tumultuous Manner in several Places, both publickly and privately, to make seditious Sermons to the People assembled, to threaten to exterminate the Catholicks with Fire and Sword, to abuse the Spiritual and Temporal Regencies, yea, even our own Person, both in Word and in Deed; and in short, to commit several other Actions worthy of the most severe Punishment.

Whereupon, and in Order to convince our rebellious and disloyal Subjects more and more of our sincere Intentions, which mean nothing but our Preservation, we order'd our said Commissioners to exhort once more our respective Jurisdictions situate in the Mountains, by way of circular Letters, dated the 30th of *July*, not to stop the Course of our paternal Love, nor interrupt by criminal Enterprizes, Violences, and tumultuous Assemblies, our Designs, which tend only to the Publick Welfare, but to keep themselves quiet at Home, and wait with Peace and Unity the Decision of their Grievances both Civil and Religious; with Assurances that we would cause them to be examined with the utmost Care; and that we would redress the same in such a Manner as we shall be able to answer before God and the World. To put these Assurances in Execution, we appointed Deputies the 6th of *August*, consisting of Members of the Consistory, of the *Aulick* Council, and the Chamber,

Chamber, and order'd them to meet immediately, to examine with all possible Care the Grievances that should be communicated, and to consider how they might be entirely terminated, or at least made easier. But our Subjects, instead of making suitable Returns for our paternal Care, turned it into Ridicule, and casting off the Respect and Fidelity which they owe to us, they began openly and wantonly to abuse our Clemency, by committing all Sorts of Disorders; and having found Means to gain over some of our Subjects by Promises, and others by Artifice, they summoned a general Conference at *Schwartzach*, upon the 5th of *August*, and called it the *Great Council*. In this Conference Proposals were made the most prejudicial to us, to the Archbishoprick, and the Country. Here they deliberated, and took Resolutions, which they engaged to execute by a solemn Oath, which they took kneeling, and with Hands lifted up. They afterwards repeated their tumultuous Assemblies and Deliberations both publickly and privately. They continued to make seditious Sermons, to threaten more than ever, to exterminate the faithful Subjects with Fire and Sword, and to shew their Contempt even of our Person, by injurious Discourses.

These Excesses, and others so contrary to the Laws of God and Nature, gave us the greater Concern, because we were in Hopes our Rebellious Subjects, being convinced of our Paternal Love, and of our favourable Dispositions, would no longer have abused our Patience. We might, with a good Grace enough, have exerted our Power and Authority against them, by punishing them as Rebellious Subjects; but our Love and Clemency having again prevailed over us, we contented ourself with publishing and affixing up, in all the Places of the Mountains, dissuasive Letters, dated the 30th of *Aug.* wherein we exhorted the Mutineers that were risen against us and their Country, to render us the Obedience and Submission that is due to us, and to preserve inviolably the Fidelity they had sworn to us; forbidding them to continue the aforesaid Enterprizes, Assemblies, Preachings, Threats, Injuries, or other the like Things, upon Pain of forfeiting their Estates, and even their Lives, to all and every one that should be found to act contrary thereto. And the better to secure the Publick Tranquillity, we did moreover forbid them to assemble themselves, either in private, or in By-places, to the Number of more than three; or to undertake any Thing whatsoever that could



could prejudice our Power and Authority, occasion the Spiritual or Temporal Regencies to be abused or maltreated, or disturb the Publick Tranquillity. But as the Mutineers, far from giving Attention thereto, have had the Boldness to go on with their Disorders as before, despised those dissuasive Letters, and told the Officers of Justice, and other Persons, to their Faces, that we had nothing to do to command them; this shews, that the Redress of Civil or Religious Grievances, of which they complained in the Beginning of their Mutiny, was not the Point they aim'd at; but that they wanted to introduce a boundless Liberty, to erect a new State among themselves, and to make themselves an independent People. In short, some of them continuing their abominable Excesses, and their Assemblies so often forbid, did of their own Authority forbid the frequenting of our Churches; they went from House to House to give Notice of their Seditious Preachments, to begin on a certain Signal, either by beat of Drum, or the Firing of some Muskets: So that we were at last obliged, tho' against our Will, to make use of the Power which God has put into our Hands; and on the 28th of September we caused the principal Author of the Sedition to be seized and imprisoned, not upon Account of Religion, but for disturbing the publick Tranquillity, and for rising against us his lawful Lord and Prince. The next Morning several of his Adherents had the Boldness to get together and endeavour to set him at Liberty, and to attack our faithful Subjects; but tho' they durst not execute their Enterprize, seeing the good Dispositions that were made to give them a warm Reception, they nevertheless gave fresh Proofs of their seditious Spirits, by summoning new Assemblies in several Places, repeating their injurious and menacing Discourses against our Person, and disobeying our Commands, and those of our Officers: They have set up a new Head, to whom they have promised Fidelity, and have not been unmindful of demanding Succours of the Evangelical Protestants, under Pretence of being persecuted for the Sake of Religion; and falsely alledging that it was our Intent to refuse them the Right of going away, and by such and other false Reports, they have endeavoured not only to stir up a Sedition in the neighbouring Countries, but also to kindle the Flames of a Religious War throughout the Roman Empire.

As our Honour, our Dignity, and our Authority, in the Quality of an Archbishop and Sovereign Prince, will not permit us to endure any longer, that the said Disturbers of the Publick Peace and Safety of all the Archbishoprick should persist in their Spirit of Rebellion and Disobedience, of which they are fully convicted, as appears by a great Number of Reports, Memorials, and Certificates worthy of Credit, and attested upon Oath : As, on the other hand, we are not ignorant of the general Ordinances which have been issued from Time to Time by our Predecessors, touching the Conduct which the Spiritual and Temporal Regencies were to observe, agreeably to the Constitutions of the Empire, with Regard to Subjects suspected in Matters of Religion, and particularly in Relation to the Right of going away : And as we should be inexcusable, if, as an Ecclesiastical Prince, we should tolerate the Exercise of a contrary Religion in our Archbishoprick, which, by the Grace of God, is of more than 1200 Years standing, and in which none but the Roman Catholick Religion was ever tolerated ; we have the less Reason to refuse the Right of going away, because we have always been inclined, as we are still, to give our Consent to it, on purpose to avoid giving Offence to our said Subjects, and to those of the bordering Provinces of the Emperor and *Bavaria*. It will not be found that ever we refused that Liberty of Departure ; but it appears on the contrary, by divers publick Acts, agreeable to the Constitutions of the Empire, that we have always granted it without any Limitation : So that in order to restore a settled Tranquility in our Archbishoprick, and to prevent yet greater Troubles, there now remains no other Method to be taken than to extirpate, entirely to the Root, those turbulent and seditious Fellows, who in Times past have so often disturbed this Archbishoprick ; and that with the greater Reason, because nothing is to be expected in this Archbishoprick but fresh Troubles ; and that notwithstanding the wholesome Advice given them by the Pastor, notwithstanding all the Methods we have tried, in Performance of our Pastoral Duty, to prevail with them to desist from their Criminal Enterprizes, and to bring them back into the Way of the Faithful, they will, in spite of all these Admonitions and Exortations, persist in their Rebellion and Obstinacy : And therefore we thought it was high Time to publish proper Ordinances  
upon

upon that Subject. We communicate this our present Command to all our Subjects, Citizens and Inhabitants, particularly to those who have declared themselves to be of the Reformed Religion, or of the Confession of *Augsburg*, and persist in the Profession thereof, either in publick or in private: And after the most serious Consideration, by Virtue of our Power, as immediate Prince of the Empire, and of the Right which belongs to them as such to reform Religion, and to command their Subjects who profess another, to depart from their Territories, we ordain,

1. That all those who profess either of the Religions above-mentioned, and tolerated in the Empire, and who, upon Occasion of the late Rising, have declared themselves to be such, whether in publick or in private, shall depart this Archbishoprick, and Countries thereunto belonging, with all their Effects; never to enter it more, upon pain of Confiscation of their Estates, or even of Death, according to the Exigency of the Case.

2. Such of the Inhabitants of this Archbishoprick as have no Settlement, or those who are not Burghers, the Workmen, Valets or Domesticks of both Sexes, who have attained the Age of twelve Years, and profess one of the said two Religions, and have declared themselves so to be in Manner aforesaid, shall depart with all their Effects in eight Days, to be computed from the Day of the Publication of these Presents; and in Case they do not readily obey, they shall be punished in manner aforesaid, without any Hopes of a Pardon.

3. Wherefore, all those, let them be what they will, that work in the Salt Mines, or such other Works; or who, either in the Mountains, or in the Plains, are in our Service, or employed by us, by the Members of our Chamber, or by other Officers of our Country, are from this Time forward, and in general, discharg'd from their Service and Work; they shall have no Salary from the Day of the Date of these Presents, nor what is called Provision or Benefice-Money; but they shall be obliged to depart the Country within the limited Time, and under the Penalties above-mentioned.

4. And as it has been customary not to admit any Person to the Burghership or Freedom of the Towns or Boroughs of this Archbishoprick, 'till he had proved that he and all his Family professed the Catholick Religion, and produced Certificates on the Part of the Regencies established for that Purpose; we will and



ordain, that all and every Burgher or Artisan, making Profession of one of the said Religions, and who declared themselves so to be during the present Rising and Rebellion, have from this Time forward entirely forfeited, throughout the Archbishoprick, their Right of Burghership and Freedom; and that, like the others, they depart this Archbishoprick, with some Difference, however, in regard to the Time, with Respect to the other Inhabitants that are not Burghers.

5. As to House-keepers, or other Inhabitants of this Province, of either Sex, possessed of Estates, or Goods immoveable, though they cannot be ignorant, that by the Constitutions of the Empire they were obliged, within a limited Time, to conform to the Religion professed in this Province for 1200 Years; and that by the stirring up the late Rebellion they have forfeited the Right of free Departure, stipulated for them by the Treaty of *Westphalia*; yet our Will is, if they behave peaceably, and according to our last Directions, to allow to every Person possessed of less than 150 Florins *per Ann.* one Month; to those possessed of from 150 to 500 Florins two Months; and three Months to all possessed of above 500 Florins *per Ann.* to dispose of their respective Estates, and retire as above; keeping mean while not above one Man Servant, and one Maid, of their Religion, in their Service.

6. Whereas what has hitherto been mentioned, regards only those who barely profess themselves of the Reformed Religion, or the Confession of *Augsburg*, we still reserve to ourselves what Punishment to inflict on the Seditious and Disturbers of the publick Peace; and such who profess an Opinion not tolerated in the Empire: But as for those who have joined the Rebels from a pure Motive of Religion, we exempt them from any future Punishment, provided they depart, as above, and hereby give them our general Pardon.

7. Whereas it may be presumed, that after the Publication of this Ordinance, several of the Rebels, who acted more from a Temporal than a Spiritual Motive, will embrace the Roman Catholick Religion, tho' admitted into the Evangelick Confession; and others, who fomented Sedition under the Disguise of Roman Catholics, will return in like Manner, in Order to seek new Occasions to disturb our State; our Will is, that none be admitted who declared themselves to our Commissioners in the *Highlands* in Ju'y last, with proper Admonitions,

Members

Members of the Evangelick Communion, unless they bring authentick Proofs of their having repented within a Fortnight after, and got themselves entred on the List of Roman Catholicks, within that Time, before the Regency; nor shall those be admitted whose Names are set down in the Memorials presented to us from the Rebels, by Order of his Imperial Majesty, unless their Conduct since be well approved by the Commissioners; and it appears their Names were inserted without their Knowledge.

8. As for those who have not hitherto declared themselves, either in publick or in private, as making Profession of another Religion, but have nevertheless render'd themselves suspicious, by their Conduct and Manner of Living; as we can fix upon nothing certain with Regard to them, tho' we are very desirous to root out that noxious Weed, because 'till this is done, we can never expect to see a lasting Tranquillity in our Archbishoprick; we will and ordain, that all the General Mandates formerly published upon the Subject of Religion, be hereby renewed; and that when the Spiritual and Temporal Regencies visit their respective Jurisdictions, they shall examine such Subjects as they suspect on Account of Religion, or at whose Houses they shall find prohibited Books, and shall ask them civilly, without fining or inflicting any other Punishment upon them, whether they be Catholicks, and will persevere in that Religion, or whether they will declare themselves to be of the Lutheran or Reformed Religion. As for those in the first Circumstance, the Regencies shall give them the necessary Instructions with regard to the Conduct they are to observe for the future; and they shall take away the prohibited Books which may be found at their Houses, and forbid them to have any more such, at their Peril. As for the others, they shall not be constrained in their Liberty of Conscience; but Notice shall be given them, that agreeably to the Laws of the Empire and their Country, they shall sell their Estates and Effects in the best Manner they can, within a limited Term, and then leave the Country, having first paid their Taxes, as is usual in all Places. If it should so happen, that any one, who pretends to be a Catholick, but is really of another Religion, has prohibited Books in his House, or is a Dealer in them, or is present with others in unlawful Assemblies, such Transgressors shall be condemned

ned to perpetual Banishment, and even, if the Case requires it, shall suffer Death, and forfeit his Estate.

9. We have already declared, that it is not our Intention, that those who profess one of the said two Religions tolerated in the Empire, and are not in other Respects chargeable with Sedition, Rebellion, or Heresy, should be looked upon by us with an Eye of Indignation, as contrary to the Constitutions of the Empire; but we are desirous to procure them, to the best of our Power, the Liberty of Departure above specified. Wherefore we enjoin all our Regencies, and command them by these Presents, that all necessary Assistance be given to such as shall go out of the Country within the Time above allowed them: Certificates be granted them, if they desire it, of their Birth, Family, Profession, and honest Behaviour. We forbid any other Tax to be imposed upon, or required of them, than that which is in our Archbishoprick; and it is our Pleasure, that after they have entred themselves in a judicial Manner, they be conducted from District to District, 'till they be out of the Country.

10. We enjoin all such of our Subjects, as are included in this our Ordinance, and are obliged to leave the Country in the Manner above-mentioned, upon Pain of suffering without Mercy, the Penalties mentioned in the Beginning of our said Ordinance, to appear before the Regencies of their respective Places, before the Expiration of the Terms allowed them; to pay the usual Tax honestly; and to demand a safe Conduct for their Departure out of the Country.

11. All the Regencies appointed by us, shall take the utmost Care, that this our Ordinance, and every Clause or Article thereof, be strictly put in Execution: And after the respective Terms, which we have graciously granted to those who are obliged to go away, shall be expired, they shall make Enquiry after such as have not obeyed our Commands; they shall commit them to Prison, and proceed against them in case of Need, by Military Force, without suffering themselves to be led away from their Duty by Presents, or any other Motives of Friendship or Enmity, Love or Hatred; but shall behave themselves in that Affair without respect of Persons, and in such wise as they can always answer to God and us, if they have not a Mind to be deprived of their Places, and incur our Displeasure, and to be severely punished.

Finally,



Finally, that none may plead Ignorance, and to the End that this our Ordinance and Licence of Departure may be the more strictly and diligently executed and observed; it is our Pleasure that it be printed, published in the usual Places, publickly read and affixed: *For such is our Will and Intention.* In witness whereof, we have signed it with our own Hand, and have sealed it with the Seal of our Arms. *Done in our Residence of Saltzburg, the 31st of October, 1731.*

*Signed,*

LEOPOLD.

L. S. By Order of his Highness,

H. CRISTANI,  
Chancellor of the Court.

*A Letter from the Protestant Ministers in the Diet of Ratisbon, to the Emperor, in Behalf of the Protestants of Saltzburg.*

Most Illustrious, Most Potent and Invincible Emperor  
of the Romans, King of Germany, Spain, Hungary  
and Bohemia, &c.

*Most Gracious Emperor, King and Lord,*

WE cannot forbear representing to your Imperial Majesty, in the Name of our Principals, and with the most profound Respect, what (we are informed) is already come to your Imperial Majesty's Knowledge, but of which you have doubtless had only partial Accounts; to wit, That during the Course of this Year, and particularly last Summer, several Subjects of the Archbishoprick of Saltzburg, which at first consisted only of a few Persons and Families, but whose Numbers, in Proportion as they were abused by the Regencies and the Clergy, has considerably increased, have been persecuted and oppressed in a particular Manner, and molested by different Methods in the Liberty of departing quietly out of the Country: That above 20,000 Souls, who had left the Catholick Religion, and embraced the Evangelical, having begun openly to profess it, and not having been able to obtain Leave of their Prince to exercise it in secret, far from being allowed the publick Exercise thereof, had desired Leave  
to

to go out of the Diocese, as they might see Occasion : And lastly, that these Things may cause unhappy Troubles, which may be attended with dangerous Consequences.

We readily agree, that this Affair of Religion is one of the most important, and the most ticklish, that has happened a long while ; perhaps ever since the Treaty of *Westphalia* : And for that very Reason it requires the greater Prudence, and that no Step be taken therein by any Party, but what is agreeable to the Constitutions of the Empire : As, on our Part, we do not pretend, by an indiscreet Zeal for Religion, or with any other unlawful Views, to intercede in favour of Subjects that are turbulent and seditious, and disobedient to their Sovereign, or to the Officers appointed over them ; nor under Pretence of Religion, to concern ourselves with the political Affairs of State ; so neither can our Principals see without Concern, or permit a State of the Empire, out of a religious Zeal that exceeds the Bounds of the Laws of that Empire, to exterminate those who profess their Religion ; or under strange Pretences, very suspicious, or such as do not yet, at least, appear to have any Foundation, to deprive them of, and refuse them the most sacred Privileges granted by the Treaty of Peace ; and thereby give Offence directly or indirectly, to the other States of the Empire, with Impunity.

There is not any one Thing in the Treaty of Peace of *Westphalia*, so plainly set forth, as that which regards the Conduct to be observed towards Subjects, not only with Respect to those and their Posterity, who before, and at the Time of the said Peace, professed a different Religion from that of their Sovereign ; but also touching those that should change their Religion after the Conclusion of the said Peace, which ought always to be looked upon as a fundamental Law of the Empire. Here follows what is said upon that Subject in the 5th Article, Parag. 34.

‘ It is moreover stipulated, that the Subjects of the  
 ‘ Catholick States, professing the Confession of *Augs-*  
 ‘ *burg*, and the Catholicks, Subjects of the States of  
 ‘ the Confession of *Augsburg*, who in the Year 1624  
 ‘ enjoyed the Exercise of their Religion, whether in  
 ‘ publick or in private ; and also those, who after  
 ‘ the Publication of the Peace, or in Time to come,  
 ‘ shall embrace a Religion contrary to that which their

‘ Sove-

‘ Sovereigns profess, shall be tolerated, and may with  
‘ an entire Liberty of Conscience exercise their Reli-  
‘ gion at their own Houses in private, without being  
‘ disturbed therein, and without fearing any Inquisi-  
‘ tion. They shall be likewise permitted to go into  
‘ the Neighbourhood to assist at the Publick Exercise  
‘ of their Religion, as often, and in such Places as  
‘ they shall think fit : They may send their Children  
‘ to the Foreign Schools of their Religion, or appoint  
‘ them private Tutors to teach them at home.

In the 36th Paragraph of the same Article, it is said,  
‘ But if a Subject, who in 1624 did not enjoy the Ex-  
‘ ercise of his Religion either in publick or in private,  
‘ or did not change his Religion ’till after the Publi-  
‘ cation of the Peace, has a Mind to retire of his own  
‘ accord, or is obliged so to do by his Sovereign’s Order,  
‘ such a Subject shall be permitted, before he retires,  
‘ to sell his Effects, or to keep them : If he keeps them,  
‘ he may have them administred by Proxy, and return  
‘ into the Country, without having Occasion for a safe  
‘ Conduct for that Purpose, to see his Estate, sollicite  
‘ his Cause, and gather in his Debts.

And in the 37th Paragraph it is said, ‘ It is agreed  
‘ to grant unto such Subjects, who within the said Year  
‘ did not enjoy the Exercise of their Religion, either  
‘ in publick or in private, a Term of five Years at the  
‘ least, and three Years for such as shall have changed  
‘ their Religion after the Publication of the Peace :  
‘ Attestations concerning their Birth, Family, and ho-  
‘ nest Behaviour, shall not be refused to those, who ei-  
‘ ther of their own Accord, or by Constraint, shall leave  
‘ the Country : No greater Tax shall be required of  
‘ them, than that which is in Use ; and in particular,  
‘ those who shall depart voluntarily, shall not be stop-  
‘ ped, under Pretence of Servitude, or under any other  
‘ Pretence whatsoever.

Grounded upon Passages thus clear and evident, and  
because in the Dyet their principal Attention ought to  
be, to preserve the Fundamental Laws of the Empire,  
and Peace, Tranquillity, Union, and Confidence ; we  
applied ourselves to the Minister of *Salzburg* residing  
here, both by Word of Mouth and by Writing, either  
by Representations, or by interceding in Favour of the  
Protestants of that Diocese, as the Affairs in Question  
were more or less important. We last Year received



Information, that not only several Subjects of the Diocese of *Saltzburg*, who had left the Catholick Religion and embraced the Evangelical, were refused the Exercise of the said Religion, and Liberty to retire; but also that they were prosecuted with the utmost Rigour, either by casting them into Prison, or by depriving them of their Estates and Effects; the Officers making the Charges of the Prison and the Prosecution the unjust Pretence for so doing; or lastly, by depriving them of their Children which were under the Father's Power, and not having attained to Years of Discretion, are not capable of choosing their Religion. Though several of them, who having to do with Officers of Humanity, had the Happiness to make their Escape; and tho' others, destitute of every Thing, and almost naked, having much ado to conceal themselves, offer to make Oath of all these Violences, it may nevertheless be presumed that they will not be believed. There were found in the Hands of some of the said Subjects, the Originals of what they call the *Sub-Scheine* of *Saltzburg*; and upon this Account, as they were *Lutherans*, they were carried by Force from District to District, and banished the Country. These Proceedings alone, which are directly contrary to the Tenor of the 36th and 37th Paragraphs of the 5th Article, Par. I. make all the others look very suspicious, which we shall pass over in Silence, for the Sake of Brevity; and particularly for what regards the rigorous Search for Bibles and other Evangelical Books, which is own'd on the Part of *Saltzburg*, which Books cannot be looked upon as prohibited, because, as has been proved, if the Subjects of the Empire be permitted to change their Religion, and to embrace one of those admitted therein, they cannot be deprived of the Means of exercising it, by depriving them of the Books proper for that Purpose, as the Holy Scriptures, and other Evangelical Books are.

Instead of taking in good Part the Representations by us made, and giving us a friendly Answer, it was chose rather to reject them all at once: This was our Treatment by the Minister of *Saltzburg* at the Dyet, when the *Saxon* Minister's Secretary presented a Memorial to him in *February* 1730, which he sent back without reading it, under Pretence that he was forbid so to do by the Archbishop his Master, because the Evangelical

States

States had a Mind to assume a Jurisdiction over the Catholick States, whereby he broke off all Correspondence with us, as far as lay in his Power.

Hereupon we applied ourselves, in the Name, and by the express Order of our Principals, to the Archbishop of *Saltzburg* himself, agreeably to the Letter hereunto subjoined, wherein we represented to him, with equal Moderation and Decency, the urgent Necessity of Affairs; as also the little Ground there was for the Accusation, as if the Protestant Body had a Mind to assume any Jurisdiction: But his Highness did not think fit to answer it, or to redress the Grievances, as if our Principals could not decently correspond, as to Political Affairs, with a State of the Empire, which in Matters of Religion will have no Connexion or Correspondence with them. The present Archbishop's Predecessors behaved in this Respect, in a different Manner, as the great Number of Letters written by them to the Evangelick Body do bear Witness.

Mean while the violent Proceedings of the Officers and Clergy of the Archbishoprick of *Saltzburg*, against the Subjects of that Diocese, out of Hatred to their Religion, produced a quite contrary Effect; for, in Proportion as those Violences increased, the Number of People who declared themselves openly for the Evangelical Religion, likewise increased; and among these last, there are several, who, if these Violences had not been committed, morally speaking, would not so soon have entirely abandoned the Catholick Religion; and it is computed, according to very credible Advices, that that Number, since the Appointment of the Commission, is increased to twenty thousand People, some of whom have had the good Fortune to get away, though without being able to carry with them any Part of their Effects, while the others are exposed to great Dangers, with Circumstances which it is impossible for us to reject, and which cannot be denied on the Part of *Saltzburg*, or at least have not hitherto been sufficiently refuted.

Wherefore, our Principals had doubtless great Reason, upon this extraordinary Event, so contrary to the Treaty of *Westphalia*, and which may be attended with such fatal Consequences, to address themselves to your Imperial Majesty by a respectful Letter, agreeable to the Laws of the Empire, desiring you to apply a speedy Remedy in the Case. In Effect, we received proper Instructions upon that Subject; but to shew that we would

not importune your Imperial Majesty without an urgent Necessity, nor oblige the Offenders to do any Thing contrary to Justice, we deferred to do it; when towards the latter End of July, and the Beginning of August, of the current Year, the Minister of Saltzburg to the Dyet declared to this Effect, repeating it over and over, *That the Subjects of Saltzburg, who change their Religion, should infallibly enjoy the Benefit of leaving the Country in its full Extent, and as it is stipulated by the Treaty of Westphalia.*

Who would have thought, after such a Declaration, which had it been executed, would have given our Principals an entire Satisfaction, that at the very Instant when it was made, all the Passages were shut up in such a Manner, that it was impossible for any Man, though he would have abandoned Wife, Children, and and all that he had in the World, to pass the Borders and go into any other Country; or to give his Friends, who were gone before, an Account how Matters stood with them? So far were they from being able to write to the Evangelick Body upon this Subject, that twenty Persons were sent back, who were actually got as far as *Austria*, on purpose to be cast into Prison, where in all likelihood they will miserably perish: And lastly, that a great many others were taken from their Houses, nay, some out of their Beds, by Soldiers, and put under a rigorous Guard.

This, however, *Most Gracious Emperor and Lord*, is in few Words the melancholy Case, and dangerous Situation, so far as we have been able to learn, of the Affair of *Saltzburg*, which makes so great a Noise in *Europe*.

It appears, that on the part of *Saltzburg*, they pretend to justify this Procedure, by alledging,

1. That these People have Sentiments, in Matters of Religion, which are not agreeable to the Confession of *Augsburg*: That most of them do not know what they believe, and therefore are to be looked upon only as Fanaticks, and consequently ought not to partake of the Benefits of the Treaty of *Westphalia*.

2. That they have rebelled against their Sovereign and his Officers, by holding forbidden Assemblies, refusing to pay their Taxes, threatening to make use of Fire and Sword, tearing down Proclamations affixed up, &c. And that consequently before any such are permitted to depart, this Affair ought thoroughly to be examined,

and



and the Ringleaders of them punished in an exemplary Manner.

3. That in particular they did not ask to go away; their only Design being to oblige their Sovereign, by their Rebellion, to grant them the publick Exercise of their Religion, even within the Diocese, contrary to the Tenour of the *Decretorial Year*.

4. That Liberty might have been granted them, at a proper Season, to leave the Country; but that the same cannot be now, 'till the Ringleaders are punished, and the others have made their Submission; then they will see what may be done in relation to the Point of leaving the Country.

As for the first of these, it is surprizing that simple Men, poor Peasants, that have not hitherto had any Minister or Schoolmaster to instruct them, nor can have any Notion of Religion, but what was instilled into them by their Parents, or formed from the Reading of Books, should be so ignorant of the Evangelical Religion, which perhaps took Root in the Country of *Saltzburg* ever since the Time of the Reformation? If Protestant Ministers should question the common People among the Catholicks, tho' instructed from their Youth by Priests, in the same Manner as these examine the Protestants of *Saltzburg*, would the Former be able to give a pertinent Answer to any one Question that was asked them? 'Tis however, very certain, that it is purely out of a Motive of Conscience, that the Subjects of *Saltzburg* leave the Catholick Religion, and embrace the Evangelical, because they thereby expose themselves to the Danger of losing their Temporal Estates; and if they be permitted to depart freely out of the Country, there is no doubt but they will soon be able to give an Account of their Faith; as was found by Experience some Years ago, with regard to several other Persons who went from that Diocese. One may guess, by this first Objection, how great the Danger is, to which those poor People are exposed, if Men persist any longer in depriving them of the necessary Means of Instruction; and 'tis a very nice Point of Conscience, to suffer so many People to live and die in their Ignorance.

As for the second Point, we shall repeat here what we have already declared in the Beginning of this Letter, to wit, that it never was our Intention to intercede in favour of Rebels, even tho' there had been no such Stipulation as this, in the Treaty of *Westphalia*, Art. 5.  
Par. 34.

*Par. 34. That such Inhabitants, Vassals and Subjects shall give no Occasion for Troubles, but shall follow their Callings with all due Submission.* Though this Passage ought to be understood only of such Subjects, as professing a Religion different from their Sovereign's, are allowed the free Exercise of their Religion within his Dominions; we are willing, nevertheless, to extend it to those who are to go out of the Country. They ought not to confound, in the Diocese of *Saltzburg*, a great Number of innocent People with a small Number of guilty: A Sovereign ought, in the first Place, to follow the Rules of Reason and Justice, and afterwards those of Prudence, lest he should drive his Subjects to Despair by too rigorous Proceedings: 'Tis true, this does not justify those who carry Things too far; but those who were the Occasion of it, by their Violences, will be equally answerable before God and the World. May it not easily happen, that the Subjects of *Saltzburg*, seeing all the Passes shut up, as they were at present, and thinking they shall be for ever debarred of the Liberty of going away, may in their Simplicity be driven to these fatal Extremities?

As for the third Point, it cannot be looked upon as a great Crime, much less a Rebellion, when a Subject of *Saltzburg* earnestly desires a Thing, which in itself is not punishable, though the Sovereign is not obliged to consent to it; as it has happen'd in the present Case, with regard to the Exercise of the Evangelical Religion; provided, nevertheless, that those Subjects do not use Threats or Violence. Besides, they have no need to make pressing Instances, either for the particular Exercise of their Religion, or for free Liberty to depart, because they have a Right to both, 'till they are absolutely forbid them by their Sovereign: There is no Mention made of any such Prohibition 'till the Patent of the 30th of *August* last: The Subjects are therein order'd to submit themselves, not only to the Temporal Regency, but also to the Spiritual Regency; that is to say, to the Clergy; consequently, this is in Effect, to order them to embrace the Catholick Religion.

As for the fourth Point, it is apparent enough, that according to the Principles of the Regency of *Saltzburg*, the Liberty of departing would not be convenient 'till very late, or never, perhaps, since the Submission required of the Subjects consists in a Return to the Catholick Religion. 'Tis true, the Loss of so many thousand

land Subjects, who will leave their Country, must give a great deal of Concern to the Regency of *Saltzburg*; but 'tis their own Fault if they do not keep them, by granting them the free Exercise of their Religion; and so they may even choose which of these two Expedients they think fit.

With regard to the three first Articles of Accusation against the Subjects of *Saltzburg*, it must be observed, that they have not been hitherto sufficiently proved; but that on the contrary, according to the few Advices we have from Time to Time received from that Country, they have been fully refuted. The Pamphlet entitled, *The Malice of some Protestants of Saltzburg, couch'd under the Cloak of Persecution for Religion, discovered and exposed, for the Sake of the Lovers of Truth, by undoubted Proofs, taken from the Records, and from the Confronting of Witnesses*; which was published last Summer, could not give the Evangelick Body any Satisfaction, because it does not disprove any one Grievance of the said *Saltzburgers*. But who are they that publish these *Proofs*? They are the Offenders; they are the Spiritual and Temporal States, who have conceived the strongest Prejudices against them, and who, as Judges in their own Cause, act with such Precaution, that it is not possible to get Intelligence (out of the Country) of their Proceedings, farther than they have a Mind should be known. The other States of the Empire ought not certainly to trouble themselves, when nothing but Affairs of State are concerned; but where Religion is also interested, and the melancholly Privilege of leaving their Country, the Treaty of *Westphalia* gives them an undoubted Right to prevent their being subverted.

The Bitterness with which the Affair of *Saltzburg* was represented to your Imperial Majesty, appears plainly enough from your Imperial Majesty's Letter to the Magistrates of *Ratisbon*, dated the 5th of September last, wherein the said Affair of the Subjects of *Saltzburg*, who had never been heard, is treated as a Crime which owed its Rise chiefly to this City of *Ratisbon*, which your Imperial Majesty has forbid to hold any Correspondence with the Subjects of the Country of *Saltzburg*, upon pain of being looked upon as Disturbers of the publick Peace; for that in the Peace of Religion, *Parag. 23.* and in the Treaty of *Westphalia*,  
Art. 5.



Art. 5. Parag. 30. it is said, ' That no State of the Empire shall, in Matters of Religion, seduce the Subjects of the other States. ' We very well remember those two Passages; but we do not believe the Magistrates of *Ratisbon* seduced or spirited up the Catholick Subjects of the Country of *Saltzburg*: If it so hapened, that a *Saltzburger*, who had quitted his Country, wrote to his Friends that are still there, and profess the Protestant Religion; or that even one of our Ministers of the Holy Gospel likewise wrote any thing to them by way of Consolation, either with regard to the Word of God, or in relation to the Constitutions of the Empire, exhorting them nevertheless to Patience, Peace and Obedience; can this be looked upon as a Subornation, or a forbidden Procedure? If it were so regarded, would not this be to contradict what was stipulated in the said 23d and 30th Paragraphs, concerning Liberty of Conscience and Departure? We could heartily wish, that the Catholicks, as well Clergy as Laity, Grandees and Persons of Mean Condition, Convents, Dioceses, and Regencies, would execute the Tenour of the said Paragraphs as punctually as the Protestants do according to the Principles of their Religion. But we see the contrary, every Day producing some new Complaint from one Quarter or other: In this single City of *Ratisbon*, before the Face of the Assembly of the Empire, we have seen three in the Space of a few Months, and one even this Week. When Children of 10, 12, or 14 Years of Age, seduced by Catholicks, or being minded to throw off the Authority of their Parents, shew the least Inclination for the Catholick Religion, they are taken from their Parents or Guardians, and are no more permitted to see them, or speak to them. What was done to the Children of *Sentgraft*, *Erthal*, and *Aufseß*, are Instances equally surprizing and notorious; and the Mother of these last, who is a Widow, has lately made fresh Application to the Evangelical Body, for a Letter of Intercession. What will become of the 23d and 30th Paragraphs above-mentioned, and many other Sacred Rights, if Parents or Guardians dare not chastise the Children committed to their Care, of 10, 12, 13 or 14 Years old, without running the Risque of such Children abandoning them, not out of any Motive of Conscience or Choice of another Religion, but purely out of a Criminal Disobedience, Obstinacy, or pretended  
Revenge

Revenge upon their Parents or Guardians, and retiring into Convents, where they are secretly protected for a while, and afterwards publicly?

The Affair of *Saltzburg*, of which we have given such a particular Account, is the principal Subject of our present Letter; without Prejudice, however, to many other Grievances, which are not yet remedied, but which may be attended in a little while, with fatal Consequences and irreparable Losses, either with regard to Body and Soul, or to the publick Peace and Tranquillity; and yet might be prevented, by taking impartial Measures for that Purpose. Some speedy Remedy should be apply'd in this Case, agreeable to the Constitutions of the Empire, whereby one might discover the real Ground of the Matter, and terminate it in a sure and effectual Manner, by your Imperial Majesty's Authority, and according to Justice. It is to this same Justice that we apply ourselves in Relation to the Entrance of the Diocese of *Saltzburg* by your Imperial Majesty's Troops, in the firm Confidence that they are not design'd, directly or indirectly, against those Protestants, who, without being guilty of any capital Crime, desire to go out of the Country, and who, for that Reason, are persecuted by the Sovereign, or at least, by his Clergy and Officers.

The Archbishop has already made very heavy Complaints to your Imperial Majesty against his Subjects; he cannot therefore be their Judge any longer. Shall his Subjects go to *Vienna*, to open their Grievances there? They cannot do it; not a Man is suffered to go out of the Country; and even if they could, where would those poor simple Wretches find able Lawyers and Advocates to plead a Cause of so tender a Nature? Those that apply themselves to the Evangelical Body, and ought to be supported by them, have but one Grievance to produce, which admits of no Dispute; they have no Mind to proceed; they only desire Leave to retire, in Case they are refused the free Exercise of their Religion. The Proceedings at Law have been so far from redressing the Grievances of Religion, that they do but increase them. A local Commission consisting of Members of the Empire of both Religions, is, *Most gracious Emperor and Lord*, the only Expedient that can put an End to this Affair. We have already so often and so plainly represented to your Imperial Majesty, the Necessity of this Sort of Commission, that we think it needless to

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mention it again. The present Affair of *Saltzburg* has at least as much Occasion for this local Commission, as any other Grievance of Religion that ever yet happen'd. Men are not agreed about the Matter of Fact; but it will soon appear, before the Subdelegated States of the Empire of both Religions, what is the Nature of the Complaints; whether Religion has serv'd as a Pretence for the present Rebellion, or not; whether all those that profess the Evangelical Religion, and demand Leave to retire, are Criminals, or only part of them; and, in short, whether in *Saltzburg* Regard be had to the Treaty of *Westphalia*, or whether it be despised. The Archbishop will find Means to reimburse himself the Charges of this Commission at the Expence of his Subjects, if they are condemned; and whatever those Charges may be, they will not certainly run so high, as the Maintenance of the Auxiliary Troops for a Month or two, which he has thought fit to introduce into his Country.

We therefore, in the Name of our Principals, beseech your Imperial Majesty, as supreme Judge of the Empire, so to order Affairs, that the Archbishop of *Saltzburg*, conforming himself to the Treaties, may immediately open the Passages, and grant his Subjects the Benefit of retiring, according to the Tenor of the Treaty of *Westphalia*; or consent to the Local Commission proposed.

This Protection and Assistance of your Imperial Majesty, in such an urgent Necessity, will be an unspeakable Consolation to our Principals, who cannot help being very much concerned at so many Infractions of the Treaty of *Westphalia*, which serves for the Guaranty of the Union between the Heads and the Members of the Empire.

*We shall be, &c.*

Done at Ratisbon,  
Oct. 27, 1731.

Some other Particulars relating to this Affair, are contained in a Memorial presented to the Evangelick Body and Magistracy of *Ratisbon*, touching the Affairs of the Protestants of *Saltzburg*, dated the 18th of September, which was in Substance as follows:

That the Number of Protestants in that Diocese amounts to 20,000: That their Intention is not to create a Disturbance, but only to obtain a Liberty of Conscience



science according to Justice ; and that their Grievances are comprized under these seven Articles :

1. That they are subject to continual Vexations and unjust Amercements from the Civil Officers.

2. That the Bible, and other Books treating of Faith, are taken from them, which they have immediate Occasion for in the Exercise of their Religion.

3. That no Masters or Preceptors are allow'd them in their Houses.

4. That they neither can send their Children abroad for Education, nor are permitted to stir themselves out of the Country.

5. That, in Hatred to their Religion, both Legacies and Inheritances are detain'd from them under false Pretences.

6. That Leave is deny'd them to bury in the common Church-yards.

7. That their Relations are deny'd the Liberty of assisting as Witnesses at the Baptism of their Children.

But these Representations, as well as several others made by the Protestant Members of the Empire, had no Effect. The Archbishop call'd in the Forces of the Emperor to his Assistance ; which soon brought the poor People to his Mercy, which was found cruel enough. All the Vexations that could be given them by Men insensible of Pity or Humanity, those unhappy Protestants underwent ; and at last, according to the Decree of the Archbishop, were obliged to leave their Country, bare and stripp'd of all they had, in the Middle of a rigorous Winter. Their *Roman* Catholick Neighbours shew'd them as little Compassion as their Prince had done before ; but the Protestants received them with a true brotherly Tenderness, as soon as they arrived amongst them ; relieving them with all the Comforts and Assistance that were suited to their unhappy State. The King of *Prussia*, in particular, has sent them a Remittance of a considerable Sum of Money ; and invited them into his own Country, with a Promise of granting them convenient Settlements there.

Soon after, we had an Account from *Ratisbon*, that an Imperial Rescript was handed about there, directed to the Magistracy, importing, That his Imperial Majesty had been assured, that the Troubles of *Saltzburg* had been much owing to the Intrigues of a certain Subject of the Diocese of *Saltzburg*, settled in that City ; and that Letters had been sent into *Saltzburg*, promising

the Assistance of the Evangelick Body towards recovering their Liberties ; and whereas by the Treaty of *Westphalia*, no Person ought to endeavour to persuade another into his Belief, his Imperial Majesty most graciously recommends it to the Magistracy, to take Care, that neither Ecclesiasticks, nor others, practise the like for the future, that he may not be obliged to act according to the Rigour of the Constitutions of the Empire against the Transgressors, as Disturbers of the publick Peace.

## B E R L I N.

SINCE our last Account from this Place, (*vide Hist. Reg. N<sup>o</sup> LXI.*) his *Prussian* Majesty has marry'd his Daughter, the Princess Royal, to the Hereditary Prince of *Bareith*. The Marriage had been publickly declared upon the 3d of *May* last, and the Nuptial Rings were exchanged in Form. The Marriage being deferred for several Months afterwards, made it be thought at first, that his *Prussian* Majesty had some how alter'd his Design ; but at last, the Ceremony of Marriage was perform'd, *Nov. 20*, in Manner following : *M. Noltenius*, the Court Chaplain, who gave the Nuptial Blessing, made a fine Discourse on the Occasion, wherein, amongst other Things, he took Notice of the happy Re-union of the Houses of *Anspach* and *Bareith* with the Royal Family, from whence they have been separated so many Years. During the Benediction, a triple Discharge was made of 100 Pieces of Cannon. Then began the Ball, which lasted 'till Nine o'Clock, when the illustrious Company withdrew to Supper : At the King's Table, which was of 30 Covers, sat only the Princes and Princesses, who all drew Lots for their Places, to avoid Ceremony, except their Majesties, the Princess Royal, and the Margraves of *Bareith*, Father and Son ; there were besides, 11 Tables of 24 Covers each. After Supper, they began the Dance used on those solemn Occasions, call'd, *Fackel Tanse*, or the Dance by the Light of Flambeaux, which were held by 32 General Officers and Colonels : The Princess Royal danc'd with every Prince, and the Hereditary Prince of *Bareith* with the Queen, and all the Princesses ; after which, the Princess Royal and Hereditary Prince of *Bareith* were undrest, and put to Bed, where the whole Court beheld them for near a Quarter of an Hour, during which Time the King divided the Gar-

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ter of the Princess Royal amongst those of the highest Distinction, and then the whole Company retir'd.

The next Night was a magnificent Ball in the great Gallery, which lasted 'till Two in the Morning, composed of 102 Couples, who were treated during the Ball at different Tables in a most sumptuous Manner. About an Hour before Supper, the Prince Royal came in, and placed himself at the Play-Table before her Majesty, without being known at first Sight, the King having privately sent for his Royal Highness from *Kustrin*, 'till throwing himself at the Queen's Feet, her Majesty embraced him with all the Tenderness imaginable, and immediately the rest of the Royal Family strove in the most endearing Manner, who should embrace him first.

On the 28th of *November*, all the Generals and Colonels of the Army, who were at *Berlin*, having at their Head the Prince of *Anhalt*, went to the King's Apartment in a Body, and beseeched his Majesty to permit the Prince Royal to re-enter into the Military Service, seeing his Royal Highness had given such evident Marks of his Concern for having displeased his Majesty : The King hereupon made a very pathetick Discourse, and having sent for the Prince Royal, his Majesty pardon'd him all that was past, restor'd to him his Sword, &c. and embraced him with much Tenderness and Affection. The Prince then fell on his Knees and assured the King his Father, of his profound Submission and Obedience. Since this, the Prince Royal has been contracted to the Princess of *Beveren*, with great Solemnity ; but the Particulars must be referr'd to our next Register.

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## F R A N C E.

IN our last Register we gave an Account of the Proceedings of the Parliament of *Paris* ; and of the Spirit of Liberty they exert against the Arbitrary Government they are subjected to. We shall now go on with the same Relation.

About the 12th of *December*, the first President of the Parliament went again to *Versailles* to make new Remonstrances to the King in the Name of that high Tribunal. His Majesty heard him with Attention, and answered him



him in these Words : ‘ I have sufficiently declared my  
 ‘ Intention to my Parliament : I will be obey’d ; and I  
 ‘ forbid all Remonstrances for the future.’ The first  
 President having thereupon urged some Reasons, which  
 he had in Commission, the King said to him, ‘ I persist  
 ‘ in all the Orders which I have given to my Parlia-  
 ‘ ment : I repeat it to you, and will be obeyed : This  
 ‘ is the only Means they have left of meriting my  
 ‘ Favour.’ Afterwards the Cardinal *de Fleury* and the  
 Chancellor *Daguesseau*, who were present, said, ‘ That  
 ‘ his Majesty would not suffer the Maxims of the King-  
 ‘ dom to be any ways infringed : That his Majesty  
 ‘ would very soon publish a Declaration that would put  
 ‘ an End to all the Troubles ; and that his Majesty, in  
 ‘ Consideration for his Parliament, would cause that De-  
 ‘ claration to be communicated to them before it was  
 ‘ published, to give the Parliament an Opportunity to  
 ‘ make proper Representations upon it.’ Thereupon the  
 King repeated, ‘ This is my Intention ; and my Will  
 ‘ is contained in what they have told you : Mean while  
 ‘ I forbid all Assemblies, Deliberations and Deputations  
 ‘ upon that Subject.’

The first President returned hither the 15th Instant,  
 whereupon the Chambers were assembled the Day fol-  
 lowing ; and that first Magistrate having acquainted  
 them with his Majesty’s Commands, an *Arret* was  
 drawn up to this Effect : ‘ *Resolved*, That the first  
 ‘ President shall make fresh Instances to the King that  
 ‘ the Parliament may be heard ; and that he shall re-  
 ‘ monstrate to his Majesty, in the Name of all the  
 ‘ Members, that the Duty of their Office will not suffer  
 ‘ them to submit to what his Majesty requires of them.

On the 17th, notwithstanding the King’s Prohibition,  
 there was another long Deliberation upon this Affair ;  
 and the following Alteration was made in the *Arret*  
 agreed upon the Day before, *viz.* ‘ The Parliament  
 ‘ have charged Monsieur, the first President, to represent  
 ‘ to the King the utter Impossibility his Parliament lie  
 ‘ under, of continuing in the Condition they now are ;  
 ‘ and that they cannot reconcile the most essential Part  
 ‘ of their Duty with the Obedience which the King  
 ‘ requires of them in the present Case. The Parliament  
 ‘ have likewise charged the first President to represent  
 ‘ to the King’s Ministers, that it is necessary that the  
 ‘ Declaration, whereby they propose to put an End to  
 ‘ all the present Disputes, should contain the five Pro-  
 positions

positions agreed upon by the Parliament, as being nothing but a short Abstract of the Ordinances and Maxims of the Kingdom in relation to the Matters in Controversy: Moreover, That his Majesty did not appear to disapprove those five Propositions by his *Arret* of the 8th of September last, the Motive for cashiering and erasing the *Arret* of the Parliament, having Reference only to the Attempt they were charged with, to encroach upon the *Legislative Power*: An Attempt, that is very far from the Parliament's Thoughts; who have always acknowledged, and shall always esteem it their Glory to acknowledge, that the said Power belongs to none but the King alone; and that the Supreme Authority is vested only in the Person of the Sovereign. The Parliament farther charges Monsieur, the first President, to assure the King, in the Name of all the Members, that their most profound Respect for his Majesty will not yet bear them out in dispensing with the Execution of the Laws of the Kingdom, the Maintenance whereof is inseparably united with their Duty, even by the Constitution of the Parliament.

The Abbot *Pucelle* took Occasion from these Expressions to say, That in the Place where he stood, he could not forget the Oath he had taken, and had never broken: That it was a cruel Thing to see a Fire spreading all the Kingdom over, and even to the Throne it self, and not to have the Liberty to speak to the King about proper Means to quell the Fury of the Flames: That they saw, as it were, at the Foot of their Tribunal, injured Communities, as well as distressed Persons of all Ranks and Conditions, seeking Redress and Protection of the Parliament, who have it not in their Power to give it them.

On the 7th Instant, the Parliament being assembled in the Great Chamber, at Ten o'Clock in the Morning, the first President acquainted them, That in Pursuance of the last Resolution taken by the Company, he had written to the Cardinal *de Fleury*, to know the Day and Hour when they might see the King: That the Cardinal had answer'd him, that the Chancellor, who was going to *Paris*, was charg'd with the King's Orders: That thereupon he went to the Chancellor's, thinking to receive them; but the Chancellor told him, the King had commanded him to assure him, *That he would say nothing, and hear nothing, but what he had already said*

said and heard; and that, in short, he would be obli'd: That he the First President had reply'd, that being charged by the Parliament to see the King, that Answer did not satisfy him, but put him upon the Resolution to go to *Versailles*; where waiting upon the Cardinal, to know at what Hour he might see the King, his Eminency expressly answer'd him on the Part of the King, That the King would condescend to see him, provided he would engage not to make the least Mention to him of the *Affair in question*: That this Order was so precise, that he thought it best not to see the King: That having in Discourse with the Cardinal, the Chancellor, and the Keeper of the Seals, put them in mind of the Declaration, with the Hopes of which they had been flatter'd, they assured him, that it was his Majesty's Intention to publish it, and even in a Form that would be agreeable to the Parliament, but in a Time of Calm and Peace, and when he could be sure that there would be no more Flights or Sallies of that Body. The First President added, That being at *Versailles* upon *S. Genevieve's* Day, to pay his Personal Duty to the King, he repeated his Instances, and receiv'd the same Answer. This Report being finish'd, several Members of the Court declar'd their different Sentiments; all which center'd at last in the following Resolution.

' The Court has resolved, that it shall be most humbly represented to the King at the most convenient Opportunity, and as soon as the said Lord the King shall be pleased to hear it, That his Parliament, full of the Submission which they owe to the said Lord the King, and from which they are incapable of ever departing, have not assumed, nor pretended to claim to themselves any Right of Legislature, which they have always acknowledged to be essentially vested in the Person of the Sovereign: That their Right to defend the Rights of the said Lord the King, the Sacred *Depositum* whereof is committed to them, put them upon reviving, by their *Arret* of the 7th of *September* last, the ancient Maxims of the Kingdom, which it was necessary to oppose to the false Principles that Men affected to inculcate in several Pamphlets: That this same Duty obliges them to remain inviolably attached to the ancient Maxims of the Kingdom, which are all equally the fundamental Maxims of the Royal Authority: That they ought continually to watch for the Preservation of these; and that, to deliberate



in Matters wherein the King's Service and the Welfare of his Kingdom are concerned, is the most essential Function, and the most indispensable Duty of his Parliament.

The Deputies of the Parliament having been sent for Yesterday to *Versailles*, by a *Letter de Cachet*, which the first President received the Day before, and being introduced into the King's Chamber, who was sitting in an Easy Chair, surrounded with the Princes of the Blood and Great Officers of the Crown; the Chancellor made them a Speech of a Quarter of an Hour, tending to blame their Conduct, to censure their *Resolution*, and to forbid them any ways to intermeddle in the present Disputes. The Chambers will not fail to meet this Day, to deliberate thereupon, and to insert in their Journals all that has passed.

And as the Spirit of the Parliament of *Paris* will still appear in a more clear and beautiful Light from their own Remonstrances to their Sovereign, we shall therefore give the following Extracts of them.

### P A R I S.

*Extract of the Parliament's first Remonstrance to the King.*

S I R E,

AT a Time when your Majesty commanded a profound Silence in Relation to all the Disputes that were arisen concerning the Limits of the two Powers, (Things that were always disputed, and the Decision whereof appertains to the Sovereign Majesty alone, either by enforcing the old Laws of the Kingdom, or by leaving the Discussion of them to the Parliament, which was erected to watch over the Preservation of the Sovereign's Rights) and at a Time when the *Arret* of the Council renewed the wholesome Law thereof, the same *Arret* authorized a Mandate and a Memorial, which seem to have violated that *Arret*.

How dangerous is it, to authorize the Bishops to fix by their Mandates the Limits of the Two Powers in Affairs wherein Publick Right is concerned, without your Majesty's having the greatest Share in it, as Sovereign in your Dominions, as Protector of the ancient Canons, and as Guardian of the Polity and external Discipline of the Church; and without your Parlia-

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ment's

ment's being heard, who are entrusted with the dear Preservation of the Maxims of the Kingdom? How far may those, who are for building the Ecclesiastical Power upon the Ruins of the Royal Authority, carry the Exorbitance of their Pretensions, to the Prejudice of your Majesty's Sacred Rights?

What would become of the uninterrupted Tradition of those sure Maxims, if the Bishops, to weaken or destroy them, need only to introduce into their Mandates the Method of Excommunication, which is always so terrible; and to revile as Hereticks all those, who do not submit to the Innovations which they may take it into their Heads to bring in; and if, under the Pretence of an External Jurisdiction, which is Active, of Divine Right, commanded by Jesus Christ himself, and independent of all the Powers upon Earth, your Parliament were not always permitted, by way of Refuge to the Royal Authority, to examine the Exercise, the Use and the Abuse, which they may have made of a Power, which is always lawful, and in its Origin awful?

Would the most Sacred and Inviolable Rights of your Crown be safe? And in what Condition would the Judges be, who have the Good of your Service particularly at Heart, and are charged by their Office to defend the same whenever it is attacked, if their Fidelity also could be shaken by the Threats and Enterprizes of the Ecclesiastical Power; and if that were permitted to impose Silence upon those, who by Virtue of their Office must be genuine, lawful and necessary Gainstayers, to oppose with Heart and Hand every Thing that could in the least prejudice it? Would it not be in some measure to approve that dangerous and unreasonable Freedom, which is multiplied in this our Day, against which we are obliged to stand up, and which put some Bishops upon renewing Propositions condemned in the most solemn Manner, and upon personally attacking the Zeal of those Magistrates, who by their Office are the perpetual Defenders of our Liberties?

It is therefore the Power we have always had, to maintain your most Sacred Rights: It is the Execution of the Ordinances, and the Maintenance of the old Maxims of the Kingdom, that we again demand: It is the Justification of our Conduct, which had no other Motive or Principle, than Fidelity for your Service; and it is the quiet of your People, and the Tranquillity

of the State, that we make bold to ask of your Majesty: We hope that the Justice and Goodness, which predominate in your Heart, will induce you to hearken to Reasons so urgent and so uniform, and which we thought so well worthy your Consideration.

*Extract of the Parliament's Second Remonstrance to the King.*

S I R E,

**A**FTER having heard your Majesty's Answer to our former Remonstrance concerning the *Arret* of the 6th of July, 1731, your Parliament thought they could not neglect to make new Efforts, and to appeal for the second Time to your Justice and your Sovereign Authority. Two Objects, of equal Importance, have again awakened their Zeal; to wit, the new and unusual Manner in which your Majesty was pleased to make known your Will to them; and the endless Consequences of the *Arret*, against which they have been already forced to make their Complaints to you.

The Kings your Predecessors were almost always pleased to inform themselves of the Motives, which animated the Zeal of their Parliaments for the Good of their Service, and to hearken to their dutiful Remonstrances; and after they had thoroughly sifted the Ground thereof, they were pleased to give their Answers to the Deputies of the Parliament with their own Mouths, or by their Chancellors, in their Presence, and before their Eyes.

Repeated Remonstrances, commanded by Ordinances themselves in some Cases, and of which our Registers furnish us with many Examples, teach us, that our Kings have always holden that Practice in Esteem, because the outward Splendor which encompasses the Majesty of Kings, and the Dignity of the highest Tribunal in the Kingdom, are equally concerned in it.

This Usage, so customary with, and so agreeable to your Parliament, is that which has at all Times opened to them a free Access to the Foot of your Throne: It is that, which has put it in their Power, to carry their Wishes, their Requests, and the most important Truths, even to the Person of the Sovereign, and to impart to him, with equal Respect and Confidence, their Thoughts for the Common Welfare.



At present, *Sire*, that ancient Custom seems to be abolished: The Answer to their Remonstrances is sent to your Parliament, without any of the Members of that Assembly's having the Honour to wait upon you, to receive it.

It is that old and excellent Usage, for which your Parliament will always so justly labour, which we now make bold to reclaim: And your Majesty having it always in your Power to make what Answer you please, we hope your Majesty will not refuse them the glorious Happiness of receiving the Declaration of your Majesty's Sentiments from your own Hands, in the same Manner as has been always customary.

But that which gives us the most poignant Grief, *Sire*, is the Ground of the Matter, to wit, your Majesty's Declaration, that having examined the Remonstrances of your Parliament in your Council, you found nothing in them, that should induce you to make any Alteration in what was regulated by your *Arret* of the Council.

Ought the cautious Expressions we thought it our Duty to make use of in so tender a Point, or the respectful Terms and Sentiments in which your Parliament always think themselves obliged to speak to their Sovereign, to be pleaded in Abatement of the Force and Energy of our Remonstrances? Or must we reproach ourselves, that we did not place before your Majesty's Eyes the properest Objects to move you in an Affair, wherein the Tranquillity of your People, and the common Good of the Realm, are equally concerned?

Without troubling your Majesty with the powerful Motives which were the Ground of our Remonstrances, we only beg Leave to put you in Mind, that the *Arret* of your Parliament of the 28th of *April*, 1731, had only in View the Preservation of the Peace in Church and State, and the Tranquillity of the Subject; to stop the Course of the manifest Contradictions in the Sense and Expressions of your Edicts and Declarations concerning the Bull *Unigenitus*; and to strengthen the dear and inviolable Guardianship of the Royal Authority, which is committed to our Care. In Effect, how far may the Consequences of the *Arret* of the Council, of which we complain, be carried? Three new Observations will be sufficient fully to convince your Majesty thereof.

To annul the *Arret* of your Parliament, is the same Thing as to authorize the Ecclesiasticks of your King-

dom to follow the dangerous Example of the Priest at Orleans, in refusing, as he did, to administer the last Sacrament to a dying Woman, though she declared that she submitted to all the Decisions of the Church; and to take for a Rule of their Behaviour, the scandalous Resolutions of that Priest, to let her die without Sacraments, unless she would declare that she accepted the Constitution.

While those, who are transported by a blind Zeal for the Bull *Unigenitus*, to erect it, of their own Authority, into a Rule of Faith; to assert that it is a Spiritual Concern, with which the Royal Authority has nothing to do; and thereby to attack the most essential Rights of your Sovereignty; seem in the Eyes of the Vulgar to triumph in that *Arret*; must the principal Judges, who have laboured only in their Defence, be exposed to the Anguish of seeing the Motives, which have awakened their Zeal, rejected by your Majesty? Those Clergymen, who would then have nothing to restrain them, would immediately fancy themselves at Liberty to do as they please; and would look upon the Authority, which your Parliament exercises in your Name, according to the Letter of that same *Arret*, to be grown altogether useless and impotent in their Hands.

To suffer any Ecclesiastics of their own Authority to attribute to the Constitution the Character of a Rule of Faith, which the Church never gave it; to treat all that are not in their Way of Thinking, as Hereticks; to cut them off from the Communion of the Faithful; and to deprive them, even when dying, of any Share in the Sacraments of the Church: This would necessarily occasion an open and entire Schism in France, which would be the greatest Misfortune that could befall the Church and State.

Lastly, Ought not a Prince, so religious as your Majesty, and so full of Sentiments of the most solid and essential Piety, to fear, for the Interest of Religion itself, that such of your Subjects as have not declared that they accept the Constitution *Unigenitus*, will rather in spite forsake the Tribunals of Penance and the publick Administration of the Sacraments, than expose themselves in vain to unjust and arbitrary Refusals?

But, *Sire*, as our present Business is to represent new Objects to you, and such as are proper to give your Majesty a right Notion of the innumerable Consequences

quences of that *Arret* of the Council ; permit us at least to unite in one Point of Sight, and to sketch out to you only a part of the Mischiefs, which the intemperate Zeal of some of the Clergy has occasioned in the Bowels of your Kingdom. From this Source spring all those Frights, Alarms and Inquietudes, which spread among your People, and to which they see themselves exposed every Day.

How many weakened or dispersed Communities are there which could not find the least Remedy in the Justice and Zeal of your Parliament, which is stripped of every thing by continual Evocations ? (*An Evocation is, when the King takes the Cognizance of a Cause from the Parliament or other Court, to himself and Council.*) And how many Pastors, faithful in their Office, beloved in their Folds, and exemplary in their Morals ; who merited Respect and Confidence by their unwearied Labours ; who knew no other Use of the Revenues of their Cures, than that of bestowing liberally upon the Poor, as their true Inheritance ; have been torn away from their Flocks, which in vain are sighing and languishing for their Return ?

How many old beneficed Clergy are there, who never attacked the Constitution ; who never asked, never desired any thing but to live in Peace, amidst the Solitude and Obscurity of their Retirement ? Some suspended, others banished ; some even sent out of the Kingdom ; deprived of the least Maintenance and Support for their Families ; far removed from their Country and their King ; without so much as the Shadow of any Charge against them ; no legal Proof, nor Sentence pronounced ; some being deprived even of the Titles of their Benefices and Cures, which were declared void, and immediately filled by Strangers, because they would not submit to Declarations or Subscriptions, which the Laws of the Kingdom do not authorize the Asking of them.

Useful Subjects, bred up in the true Maxims of the Kingdom, fit to instruct Youth, and to qualify Men in due Time for your Majesty's Service, are deprived of their Functions, and sent remote from the Offices in which they might have been so beneficial to the Publick !

Nay farther, it is notorious, that in some Dioceses, there are Spiritual Houses and Cloysters of Nuns, which  
have



have been several Years deprived of any Participation of the Sacraments, and of our most Holy Mysteries.

Such, *Sire*, is the faint Portraiture of the true Condition of your People; such is the Discontent that begins to shew itself, and daily increases in the Bowels of your Kingdom; such is the ill Use, which some of the Clergy make of the Constitution *Unigenitus*, under the very Nose and Countenance of some of the Bishops! It is this open Abuse of the Bull, which they look upon as a Point of Doctrine, that your Parliament could have stifled in its Birth, had your Majesty been pleased to hearken to them and given free Scope to their Zeal, as often as the Progress of the Evil required it: It is this same Abuse, which they designed to reform, by their *Arrest* of the 8th of *April*, 1731. And how many greater Evils are yet to be feared in Process of Time, unless your Majesty, on your part, backs with your Sovereign Authority the Endeavours of your Parliament to prevent them?

Before we leave this Subject, we shall likewise present our Readers with the following Letter from the ancient Bishop of *Senes*, who is now in Prison for opposing the famous *Constitution*, to the celebrated Abbot *de Pucelle*, who is mentioned above. The Letter is as follows:

S I R,

IT is impossible for me to express the Joy I was filled with to hear from yourself, that you yet preserve the Remembrance of one of your oldest Servants, and one of your Father's truest Friends. If the good Services, which he did in *Auvergne*, my dear native Province, bound me to him with indissoluble Bands, how much more shall I be sincerely obliged and attached to you, for the signal Services which you do to Religion, the Royal Dignity, and the Kingdom whose Interests are inseparable? In our present melancholy Circumstances, nothing can be of greater Importance to Religion, than to preserve the Faith in its Purity; nothing more essential for the Sovereignty, than to defend it in its Independency on all other Powers, except that of God; and nothing more necessary for the Kingdom, than to protect its Laws and Liberties. I praise God, Sir, that he has inspired you with such good Sentiments to make you a worthy Christian Counsellor in the first of our Parliaments, and to give you an honourable Place there

there among the Heroes, that support the Altar, the Throne and the State, with so much Zeal and Glory. I shall incessantly pray to him that makes good Judges, that he will give you a tender Heart for Justice, and a fixed Resolution against Injustice. You cannot give me a greater Pleasure, than by letting me know sometimes, in your short Intervals of Rest, what the Lord is doing for the Support of his Cause, and the Continuation of your Goodness towards me. These two Reasons are the Ground of the perfect Respect and Attachment, with which I have the Honour to be, Sir, &c.

*Sign'd,*

JOHN, *Bishop of Senez, a  
Prisoner for the Sake of  
Jesus Christ.*

The Court has at last interposed in the Affair of Abbot *Paris*, and several Physicians and Surgeons have been appointed to examine some Persons who pretended to have been cured, who declared in Writing, that in their Opinion, there was nothing Supernatural in these pretended Cures. Upon the several Reports of the most eminent Physicians and Surgeons, the King has thought fit by an Ordinance, to order the shutting up the Church-yard, where the Abbot *Paris* lies buried, which has occasioned a universal Consternation amongst the Janfenists. That Order is as follows :

**H**IS Majesty being informed of all that hath passed, and doth yet daily pass, in one of the Church-yards of the Parish of *S. Medard*, and especially upon Occasion of the pretended involuntary Motions and Agitations of different private Persons, who affect to expose themselves there as publick Spectacles; his Majesty judged it proper to give his Orders for seizing several of them, and for having them examined by a considerable Number of Physicians and Surgeons, in Order for them to make their Report, and to give their Judgment concerning the Cause and Nature of the said Motions and Agitations: Which having been done, the said Physicians and Surgeons have unanimously attested and declared, that the said Motions have nothing convulsive or supernatural in them, but that they are entirely voluntary on the part of the said private Persons; whence

whence it follows, that they have manifestly endeavour-  
ed to raise an Illusion, and to impose upon the Credu-  
lity of the People. His Majesty thinks it necessary  
absolutely to put a Stop to such a Scandal, and to the  
Concourse of the People, which is become, in other  
Respects, a continual Occasion of licentious Talk, Rob-  
bery, and Libertinism; and he was the more readily  
inclined to take this Resolution, because he shall there-  
by hinder all Contradiction and Disobedience to the  
Mandate published by the Archbishop of *Paris*, the  
15th of *July*. Having seen the Reports dated the 11th,  
15th, 17th, 18th, 19th, and 23d of *January*, signed by  
the Physicians and Surgeons, whose Names are there-  
unto subscrib'd: His Majesty hath ordained, and doth  
ordain, that the Gate of the little Church-yard of the  
Parish of *St. Medard* shall be and remain always shut;  
forbids the Opening of it, unless upon Account of a  
Funeral; and likewise forbids all Persons, of what  
Rank or Condition soever they may be, - to assemble in  
the Street, by which that Church-yard is surrounded,  
or in other Streets, Places or Houses; the Whole upon  
Pain of Disobedience, and even of exemplary Punish-  
ment, if the Case requires it: Enjoining the *Sieur*  
*Herault*, Counsellor of State, Lieutenant-General *de Police*  
of the City, Provostship and Viscounty of *Paris*, to see  
to the Execution of the present Ordinance, which shall  
be read, published, and stuck up in all the Places where  
it shall be thought necessary.

Done at Versailles, the 27th  
of January, 1732.

Sign'd,  
LEWIS.

And underneath, *Phelypeaux*

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## I T A L Y.

### R O M E.

I N our last Article from hence, we gave an Account  
of the secret Departure of Cardinal *Coscia* to *Naples*.  
Since that Time he has been summoned again and again  
to appear at *Rome*, to answer the Matters laid to his  
Charge, which he has still refused upon different Pre-  
tences. At last, on the first of *October*, the Pope's Exe-  
cutorial Letters against him were posted up in the usual  
Places;



Places; by which the Cardinal is declared to be degraded and deprived of all his Benefices, and all the Privileges and Prerogatives annexed to his Cardinalship. Upon occasion of this, the Collateral Council of the Kingdom of *Naples* assembled, and the Question was put, Whether they should conform themselves to those Letters, upon which their Sentiments were very much divided, some being for conforming, and others only for sequestering the Revenues of the Cardinal's Benefices situated in that Kingdom? At last it was resolved, by a Majority of Voices, that Orders should be sent to the Presidents of the respective Provinces, to prevent the Execution of any Ordinance, or other Act, without the Knowledge or Consent of the Collateral Council, and to forbid the Farmers of the Cardinal's Abbies, and other Benefices, to pay any Money to any Person whomsoever, 'till farther Orders. The Advices of this, occasioned an extraordinary Council at *Rome*; and new Instructions were sent to the Nuncio, at the Imperial Court, with Orders to make proper Representations to the Emperor, but without Effect. Since that Time, the Cardinal wrote a submissive Letter to the Pope, to assure his Holiness that it was his Desire and Intention to come to throw himself at his Holiness's Feet; but that his ill State of Health prevented him; and Certificates of his bad Health were signed by several Physicians, who attested that they judged it impossible for him to take a Journey to *Rome* without endangering his Life. But all this is thought to be done only to gain Time, in Expectation of the Pope's Death, who is frequently indisposed; in which Case 'tis believed the Prosecution against him would be at an End.

The Pope has not only gratified the King of *Portugal* in raising Signor *Bichi* to the Purple, but has granted him the Nomination of a Cardinal out of a List of seven Persons transmitted to him, which is a Privilege never allowed before to the Kings of *Portugal*.

#### T U R I N.

A Very surprising Accident happened at this Court since our last Article from hence, no less than the securing the Person of the late King *Victor*, who, after having, upon the most mature Deliberation, resigned his Crown to his Son, and sequestered himself from the World, is generally believed to have been wrought

wrought upon by the Persuasions of some about him, to entertain Thoughts of recovering that Authority which he had, with so much Premeditation, laid aside. The secret Springs of this Transaction were of too delicate a Nature to be made Publick; but as to what is generally known, we have receiv'd the following Account of it:

' In the Night, between the 28th and 29th of September, a certain Number of chosen Officers of the Garrison of this Town went by Order of the King of Sardinia, to the Castle of Moncalier, being back'd by a Detachment of Horse, which were posted round the said Castle, wherein the said Officers entering, and having secured the Person of King Victor, they conducted him to the Royal Palace of Rivoli, which has always been the favourite Residence of that Prince; and at the same Time they carried the Marchioness of Spigno, his last Wife, to Ceva. A Guard was left at Rivoli for the Safety of King Victor's Person, to attend whom some Officers have been left, as well as all the necessary Domesticks, that his Majesty may continue to be served as usual. It is said, that the King of Sardinia has been obliged to take these Measures, because King Victor, since his Infirmities, having for some Time been subject to be often confused in his Ideas, had conceived, since his Return into Piedmont, some that were dangerous to the Tranquillity of the State: So that the King of Sardinia found himself under the Necessity of preventing the Consequences thereof, in order to maintain the Peace and Quietness of his Dominions. Whereupon that Prince, who has always shewn a true Tendernefs, and a submissive Compliance for the King his Father, seems to lie under the utmost Affliction. As to the Marchioness of Spigno, they say, that by a Spirit of Vanity and Cabal she fomented the Troubles that they have been obliged to prevent.'

There was also this farther Account of the same Affair from Geneva, viz. ' Our whole Discourse runs upon the Seizure of the Person of the late King Victor Amadeus; 'tis all'dg'd, that he endeavour'd to remount the Throne, for which Purpose he demanded of the Count del Borgo his Act of Abdication, and upon a civil Refusal repair'd immediately to a private Gate of the Citadel of Turin, and demanded Entrance; the Marquess de St. Remy, the Governor,

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‘ excused himself in the most respectful Manner, not  
 ‘ daring to receive him without Orders, and that Night  
 ‘ caused two Regiments to enter the Citadel. The Gar-  
 ‘ rison of the Town is since considerably augmented;  
 ‘ the late King seized at *Moncalier*, and conducted to  
 ‘ *Rivoli*, under a Guard of 600 Men; the Marchioness  
 ‘ *de Spigno* conducted to *Ceva*; the late King’s Confessor,  
 ‘ his Physician, and 48 Persons of Distinction impris-  
 ‘ on’d; the Governor, the Intendant General, and Pre-  
 ‘ sident of the Senate of *Chamberi*, order’d to *Turin*, to  
 ‘ receive Instructions.’

### T U S C A N Y.

**I**N our last Register we had but just Room to men-  
 tion the Arrival of *Don Carlos* in Italy; but it being  
 an Affair of a very uncommon Nature for a Prince to  
 have a Presumptive Heir to his Dominions sent to him  
 out of another Country, and which requires a very  
 delicate Management to obviate many Inconveniencies  
 that naturally present themselves to Mens Consideration  
 upon such an Occasion, it will not be displeasing to  
 the Reader to peruse the following Pieces upon that  
 Subject.

*Articles of the Treaty, or Family Convention, between Spain  
 and Tuscany, for the Introducing Don Carlos into the  
 Dominions of the Great Duke, as Presumptive Heir to  
 the same.*

*Article 1.* In order to establish, upon the most solid  
 and unalterable Basis, a perpetual Alliance, and a sin-  
 cere Amity, between the Royal Family of Spain and  
 the reigning House of Tuscany, the Kingdoms and Crown  
 of his Majesty and the States of his Royal Highness, the  
 most Serene Duke, and the most Serene Electress Dow-  
 ger of Palatine his Sister, have fully agreed, resolved and  
 consented, that notwithstanding any other Disposition  
 whatever, that might have been made heretofore in  
 Tuscany, relating to the Succession, according as the then  
 Situation of publick Affairs required, the Great Duke,  
 whom God long preserve, happening to die without  
 Male Issue, the most Serene Prince Infante *Don Carlos*,  
 shall be, and ought to be his immediate Successor to  
 the Sovereignty of all the Dominions, which make up  
 and belong to the Great Duchy of Tuscany, and so on  
 successively



successively to the eldest Son of the said Infante ; and in Case of Failure of Male Issue, the Succession shall devolve by a full Right upon the eldest of his most Serene Brothers, Sons of his Catholick Majesty and of the present Queen of Spain.

2. His Royal Highness, and his Electoral Highness, being desirous that this Regulation and Order of Succession to the Sovereignty to their Dominions may take Effect, and be executed in the most safe and easy Manner as shall be possible ; they engage hereby to communicate the present Convention to the Senate, after the Exchange of the Ratifications and that they shall bind themselves by an Oath, religiously and inviolably to observe the same, if his Catholick Majesty requires it.

3. Their Catholick Majesties promise, in the Name of the most Serene Infante *Don Carlos*, and of those who shall succeed him in his Rights, that the several Funds and publick Debts, together with the Revenues appropriated thereto, shall be preserved for the said Purposes, and that the Military Order of *St. Stephen* shall be likewise maintained in the State and Honour it is at present.

4. They promise likewise, that the Constitution of the Government of *Tuscany*, either *Oeconomical*, *Civil*, or *Juridic*, shall be maintained as it is at present, that the Rights, Privileges, and Prerogatives of the City of *Florence* shall be preserved, and will be the chief Residence of the most Serene Successor ; the same Promise to extend to all other Towns, and their respective Magistrates : All the Subjects shall be maintained in all the Advantages and Exemptions they have enjoyed under the Regency of the most Serene reigning Family : And lastly, no Places, Civil or Military, no Bishopricks, or other Ecclesiastical Benefices, shall be conferr'd but on native Subjects of the said Dominions.

5. The Subjects of *Tuscany* shall enjoy in *Spain* the same Advantages, Franchises and Exemptions, which the most favoured Foreign Nations enjoy in Respect to their Persons, Effects, Shipping and Commerce.

6. The Great Duke now reigning, having concurred in all Things requisite for securing the immediate Succession to the most Serene Infante, shall not, upon this Consideration, meet with any Obstacle or Obstruction in the free Exercise of his Sovereignty, and will continue to govern his Dominions and his People with the same Power and Independency as before. And his Catholick

tholick Majesty, to testify his Esteem and Affection for his Royal Highness, engages hereby to treat at his Court the Person of the Great Duke, and his Ministers, and those of his Successors, in the same Manner, and with the same Titles as were given at the Court of *Spain*, to the Person and Ministers of the most Serene Lord the Duke of *Savoy*, before he was acknowledged King of *Sardinia*.

7. The Great Duke and his Sister the Electress promise, that all their Estates, as well Feodal as Allodial, as well within as without the Dutchies they shall be possess'd of at their Death, shall go to the most Serene Infante *Don Carlos*, as Great Duke of *Tuscany*, and other Great Dukes his Successors; as likewise the Right of Patronage and Presentation to the Ecclesiastical Benefices now belonging to their House and State, of which they might dispose in any Manner whatsoever.

8. All the Moveables, moveable Goods, without any Distinction, belonging to their Highnesses, of what Nature, Price, and Value soever they be, and in what Place or Country soever they be, shall remain at their own free Disposal, as well for the Use as the Property, of which they may dispose during their Life and at their Death: And likewise all the Effects and States they stand seized with, and possess without the States of *Tuscany*; and namely, the Revenues issuing from the Inheritance of the most Serene Great Dutchesse of *Tuscany*, *Victoria* of *Urbino*, and *Margaret* of *France*, their Grandmother, and all Sums of Money, wherever it be, reserving however to the most Serene Infante *Don Carlos*, the Artillery, Arms, Ammunition, and other Warlike Stores.

9. Their Highnesses oblige themselves to yield to the most Serene Infante, as they do yield to him by these Presents for the Time that he shall be Great Duke of *Tuscany*, and the Great Dukes his Successors, all the other Sums of Money not above specify'd, due to them by Ingagements between the Ancestors of their reigning Family and Foreign Powers, the Crown of *Spain* excepted, with the Right and Faculty they have, or may have to recover them; and likewise yield unto the said most Serene Infante, all their Pretensions upon other States and Effects, which are not at present possess'd by their House, to the End that the States and Dominions of *Tuscany* may be enlarged.

10. On the other hand, their Catholick Majesties, being fully satisfied with the above Conditions, promise in the Name of the most Serene Prince Infante, and those who shall succeed him in his Rights, that the most Serene Eleſtrefs, in case she survives her Brother, shall and may take upon her the Title of Great Dutcheſs, and enjoy during her Life, all the Honours and Pre-rogatives as have been enjoy'd by the other Great Dutcheſſes of *Tuſcany*, and in particular, that her Highneſs and her Court shall be maintained by the publick Treasury.

11. In case the most Serene Infante shall not happen to be in *Tuſcany* at the Time of the Death of the most Serene Great Duke, and that he is survived by his Sister the Eleſtrefs Dowager *Palatine*, her Highneſs shall immediately take upon her with the Title of Regent, in the Name of the most Serene Infante, who shall be then Great Duke, the Administration of the Government, which she shall exercise 'till his Arrival into his Dominions; and her Electoral Highneſs, with the Title of Regent and Guardian, shall have the Administration of the Government, 'till the Prince Infante, absent or present, has attained the 18th Year of his Age full and compleat; and even shall have the same Titles after the Accomplishment of 18 Years, in case the most Serene Infante shall go out of the Dutchy of *Tuſcany*.

12. When the most Serene Infante is come to Age, and will take the Administration upon himself, he shall admit the most Serene Eleſtrefs into all his Councils of State, Grace and Justice, and will grant upon her Nomination the Civil and Oeconomical Places, the Benefices and Ecclesiastical Dignities, and will leave to her Electoral Highneſs the Superintendency of Holy Places, and of the Academy of *Piſa*.

13. His Imperial Majesty, his most Christian Majesty, his *Britannick* Majesty, and the Lords the States General of the United Provinces of the *Netherlands* shall be invited and desired, by his Catholick Majesty and his Royal Highneſs to be Guaranties of this Convention, which his Catholick Majesty and his Royal Highneſs oblige themselves to ratify, and cause the Ratifications to be exchanged in this City of *Florence*, within three Months, to be computed from the Day of the Signing of the Treaty, or sooner if possible. In Testimony whereof, all the Ministers Plenipotentiaries under-written of his Catholick Majesty and of his Royal Highneſs



Highness, by virtue of our full Powers, respectively communicated to each other, and of which Copies shall be annex'd to this present Family-Convention, have signed these Presents, and to them affixed the Seal of our Arms.

Done at Florence,  
July 25, 1731.

Sign'd,

(L. S.) *Fra. Salvatore Ascanio.*

(L. S.) *Carlo Rinuccini.*

(L. S.) *Jacopo Giraldi.*

*A Separate Article.*

It has been agreed by the present separate Article, which is to be of the same Force and Vigour as if it were inserted in the Convention signed this Day, that his Royal Highness, in order to give the most authentick Proofs of his sincere and affectionate Intentions towards his Catholick Majesty and his Royal Family, consents, if his Majesty approves of it, that the most Serene Infante *Don Carlos* may, during the Life and Government of the most Serene Great Duke, come and reside in *Tuscany*, in the manner it shall be agreed upon, without being chargeable to the Treasury of his Royal Highness and the Country, and without any Prejudice to the Sovereignty and full Authority of his Royal Highness, who persuades himself that his Catholick Majesty, in Consideration of this Consent, and of the strong and solid Reasons that have been already represented, and are to be again represented, will be pleased, by an Act of his Royal Clemency, to free and exempt the Towns, and other Places of *Tuscany*, from the heavy and troublesome Burthen of receiving Garrisons of *Spaniards*, or of any other Nation whatever, seeing the Country may be sufficiently guarded and defended by their own Garrisons; which, in case of Need, may be augmented with the Money *Spain* will think necessary to furnish for this Service, in such a manner as shall be agreed upon. In case this perfect Confidence that his Catholick Majesty will engage that no *Spanish* Troops, or others, shall enter the Towns and other Places of *Tuscany*, takes place, his Royal Highness will grant Passage through *Tuscany* to the *Spanish* Troops, which shall be sent into the Dominions of *Parma*, upon their observing the Regulations, which in such a case may be made, for ordering their March, and keeping them under due Discipline in their Passage, so that they may not be burthenfome to the People.

His Imperial Majesty, his most Christian Majesty, his Britannick Majesty, and the Lords the States General of the United Netherlands, shall be desired and invited by his Catholick Majesty and his Royal Highness, to be likewise Guarantees of the present separate Article, which shall be ratify'd by his Majesty and his Royal Highness, the Ratifications to be exchanged at Florence within three Months, to be computed from the Date of the present Article, or sooner if possible.

Done at Florence, July 25, 1731.

Sign'd,

(L.S.) *Fra. Salvatore Ascanio.*

(L.S.) *Carlo Rinuccini.*

(L.S.) *Jacopo Giraldi.*

*Arrangement or Disposition, made by the Plenipotentiaries of Spain and Tuscany, for the Reception and Residence of the Most Serene Infant Don Carlos, the Great Duke's immediate Successor in his Dominions.*

**T**HE Most Serene Great Duke, and the Most Serene Electress Dowager Palatine his Sister, being desirous and willing to give greater and more affectionate Proofs of their Esteem for the Most Serene Prince the Infant Don Carlos, it has been agreed and concluded, that upon the said Most Serene Prince's Arrival and Landing at Leghorn, he shall be received by the Governor with all the Honours and Respects due to the Dignity of his Rank, and to his Character and Quality of immediate Successor to the Most Serene Great Duke, in the same Manner as it has been always observed in Respect to the late Most Serene Great Prince Ferdinand, of Glorious Memory.

One or more Gentlemen, sent on Purpose by their Highnesses, are to be at Leghorn to receive and attend the Most Serene Prince Infant, who is to lodge in the very same Apartment, in which the Great Prince Ferdinand used to lodge, and their Highnesses being sensible that the Infant cannot have his own Equipage in a Readiness upon his Arrival, will take Care to supply him with their own, and send them to Leghorn with a Detachment of Life-Guards, Horses of their own Stables, and proper Officers of their Household and Kitchen, to attend the Most Serene Prince during his short Stay at Leghorn, and in his Way to Florence, where the said Most Serene Prince is to begin to be at his own proper

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Charge and Expence, with all his Court and Attendants, as it has been agreed upon.

The most Serene Infant, upon his Arrival at *Florence*, shall repair immediately to the Palace, where he will find an Apartment ready fitted up for his Reception, and the nearest to the Apartment of her Electoral Highness the Electress Palatine, that her said Highness may be as near as possible the Person of the most Serene Prince, and have the same Care for his Preservation, and all other Things relating to the Service of his Person, as if he was her own Son.

On all Occasions, the most Serene Prince the Infant *Don Carlos* shall be treated by their Highnesses, and respected by every Body, with all the Marks of Honour and Esteem, which have been used at the Court of *Florence* towards the most Serene Great Prince *Ferdinand*. And his Royal Highness will permit the most Serene Infant *Don Carlos* to form and maintain, at his own Charges, a Guard for his Person, which is to consist of *Tuscan* Noblemen, if he thinks fit to form a separate Body. In Testimony whereof the under-written Ministers of *Spain* and *Tuscany* have set their Hands and Seal to the present Arrangement and Disposition. Done at *Florence* July 25, 1731.

Sign'd,

(L.S.) *Fra. Salvatore Aseanio.*

(L.S.) *Carlo Rinuccini,*

(L.S.) *Jacopo Giraldi.*

The Great Duke has also acceded to the Treaty of *Vienna*; but his Declaration to this Purpose being only a Matter of Form, we think it needless to insert it here, as it contains nothing remarkable, or particularly worth the Reader's Notice.

To this it will be proper to add the following Oath taken by the Commander of the *Spanish* Forces; as also the Regulation of their Quarters.

**I** Emanuel of Orleans, Count de Charni, Knight of the Order of St. James, Chamberlain to his Majesty, Governor of *Ceuta*, Governor and Captain-General of that Province, Commander in Chief of his Majesty's Forces in *Italy*, do, by Virtue of his Majesty's express Order, under his Royal Sign Manual, countersign'd by Don Jo-  
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*Joseph Patinho*, his Majesty's Counsellor, *promise and swear*, in the Presence of the General Marquis *Giulio Gaspar Rapponi*, Governor of *Leghorn*, Chamberlain to his Royal Highness, duly authorized for that Purpose, by an Instrument sign'd with the Great Duke's own Hand, dated the 23<sup>d</sup> of *October* 1731, and countersign'd by the Abbot *Tornaquinei*, Secretary of State; the two Admirals, *Mr. Colman*, Minister Plenipotentiary of his *Britannick* Majesty, and several Officers of the *Spanish* and *Tuscan* Troops, being present; and that in the best and most solemn Form that is possible, in the Name of God, upon the Salvation of my Soul, and upon the Holy Evangelists as well for myself, as for his said Majesty's Officers and Soldiers, which are to be introduc'd, and to remain in the Territories and Places, of the Great Duke of *Tuscany*, according to the Tenour of the Treaties; and agreeably to the usual Stile of the Oaths which I have taken for the several Governments of which I am possessed in his Catholick Majesty's Kingdom, do promise, swear, engage and say, That I will always inviolably observe the most religious Fidelity and Obedience to the Orders of the Most Serene Prince *John Gaston*, Great Duke of *Tuscany*, as lawful and only Sovereign of the States of *Tuscany*; and that every one of us, entering into his Royal Highness's Service, will to the utmost of our Power protect and defend his Person, Sovereignty, Authority, States, Goods, and Subjects, and every Thing belonging to him; as also his Honour, and that of his States; provided there be nothing contrary to the immediate Succession of the Most Serene Prince and Infant *Don Carlos*, which we will defend and maintain with the United Forces of *Spain* and *Tuscany*: That we will do nothing to hinder or delay the Execution of the Orders of his Royal Highness's Governors and Ministers, agreeable to the Regulations made for that End; declaring further, that we shall be always ready to give them Assistance upon the first Notice, and to furnish them with all such Succours, as they may stand in Need of, &c.

*Extract of the Regulation of the Spanish Quarters in Italy, as settled by the Ministers of Great Britain, Spain, and Tuscany.*

I. **T**HE Spanish Troops that shall be introduced into the Places of *Tuscany*, shall be paid and maintained there at the Expence of his Catholick Majesty, without any Assistance whatsoever, either from the Great Duke's Treasury, or from the Country.

II. Two Battalions of the said Troops shall march into *Pisa*, with 300 Dragoons; two other Battalions shall be introduced into *Porto Ferraio*; and 60 or 70 Dragoons shall be quarter'd at *Leghorn*, with as many Foot, as the Magazines of *La Porta Murata*, the *Cantinnelle*, and *dell'Oglia* will contain, till the Count de *Charni* and the Governor have settled the Quarters of the other Troops, who till then shall encamp in the Neighbourhood of this City: But the Count de *Charni* shall not under any Pretence whatsoever, offer to put them into any other Places in the Great Duke's Territories.

III. The Count de *Charni* shall have the Supreme Military Command at *Leghorn*; and the Spanish Troops shall do Duty there, in Conjunction with those of his Royal Highness, according to the Alternative of the Officers of the respective Corps, according to their Rank. Two Thirds of the Troops of the Garrison shall be *Spaniards*, and the rest *Tuscans*. The Count de *Charni* shall be charged to put the said Troops into such Posts as he shall judge proper; but he shall not concern himself with the Affairs of the Civil, Economical, Political, or Mercantile Government, nor with the Magistracy of Health; which shall depend wholly and solely upon the Governor of *Leghorn*, whom the Count de *Charni* shall be obliged to furnish with Troops, in case of Need, and with Officers who shall be obliged to go and take the said Governor's Orders.

IV. The Great Duke's Gallies shall remain under the immediate Command of his Royal Highness, to all Intents and Purposes; as well as the Body of *Tuscan* Troops that make a Part of the Garrison of *Leghorn*, which his Royal Highness may reduce at Pleasure, but not augment them so as to make them exceed One Third.

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V. The Salute shall be made according to the ordinary Stile of the Place ; and if any Change be desired therein, the Count *de Charni*, and the Governor shall agree upon the same. The said Governor shall continue to have his Guard, consisting of *Tuscan* Officers and Soldiers.

VI. The like Agreement shall be made with regard to the Authority of the *Spanish* Officers at *Porto Ferrajo*, and to that of the Governor of this Place, over the respective Troops of the Garrison. An exact Inventory shall be taken of the Artillery and other Utensils belong to the Great Duke ; and the *Spanish* Commanders shall have Duplicates thereof. His Royal Highness may at any Time send for Provisions, or Ammunition from *Leghorn* or *Porto Ferrajo*, provided he takes none but what is known to belong to him, the Keys whereof shall be kept by Persons of his Royal Highness's appointing. But if the *Spaniards* should happen to want Provisions, or any other Necessaries of that Sort, they shall be supply'd out of the Great Duke's Magazines at reasonable Rates.

Sign'd,

*Charles Wager.*

*Francis Colman.*

*Friar Salvator Ascanio.*

*Emanuel Count de Charni.*

*The Marquis de Mari.*

*Charles Renuccini.*

The *British* Admiral having finished his Negotiations at *Leghorn*, and seen the *Spanish* Troops landed and disposed of, according to the publick Conventions, he sail'd out the 6th of this Month with the Squadron under his Command, in order to return home ; and the *Spanish* Squadron sail'd a few Days after.

In two Days after the Landing of *Don Carlos* at *Leghorn*, the Oath of Allegiance and Fidelity to him were taken by the Communities of the Dutchies of *Parma* and *Placentia*. For that Purpose, the Most Serene Dutchess Dowager *Dorothea* of *Parma*, as Co-Tutrefs during the Minority of *Don Carlos*, made her Entry into the City of *Parma*. The March began by Foot-Guards and a Detachment of Horse-Guards ; then came the Dutchess in her Coach and Six. Her Halberdiers walking on each Side of the Coach. She was followed by a Body  
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of Horse-Guards, with their Trumpets and Kettle-Drums. Then came General Count *Stampa*, the Emperor's Plenipotentiary, in a Coach and Six; and next to him in a Coach and Six Count *Zambecari*, Envoy and Plenipotentiary for this Occasion from the Grand Duke of *Tuscany*, as Co-Tutor or joint Guardian with the Dutcheſs Dowager to the Infant Don *Carlos*. They were followed by ſeveral Coaches and Six with the Officers and Ladies of the Dutcheſs's Court, and after them by three other Coaches and Six, and a Company of Militia cloſed the March. Laſt, came the Coaches of the Nobility. While the March was through the principal Street, the Artillery of the Caſtle fired. Being come to the Ducal Palace, they entered the Great Hall, at the upper End of which was a Canopy, having two Pictures under it, that of the Emperor on the Right Hand, and that of the Infant on the Left. At a little Diſtance before the Canopy, the Dutcheſs Dowager took her Seat in an Elbow Chair, as did Count *Stampa* on her Right Hand, and Count *Zambecari* on her Left: And at ſome Diſtance before them a Table was placed for the Imperial Secretary Signor *Piccaluga*; and Seats were placed on each Side of the Hall, for the Governor of *Parma*, and the other Magiſtrates of this City, as alſo for the Deputies from all the Communities according to their reſpective Ranks; and the Nobility, who were invited to ſee the Ceremony, had a convenient Place for themſelves. The ſaid Deputies advancing in Order to the Table, the Imperial Secretary adminiſtered the Oath to them in the following Terms.

**WE**, in our own Name, and in that of the Communities, by whom we are conſtituted for this Purpose their ſpecial Deputies, Delegates, and Procurators, as alſo in the Name of our Heirs and Deſcendants, in all and every of the Cities, Caſtles, Towns, Villages, and Diſtricts of the Dutchies of *Parma* and *Placentia*, do, upon our Souls, and thoſe of our Heirs and Deſcendants, promiſe and ſwear to Almighty God, the bleſſed Virgin *Mary*, and all the Saints, that we will henceforth acknowledge, as we now actually acknowledge, the moſt Serene Lord and Prince Don *Carlos*, the Royal Infant of *Spain*, as the Vaſſal of his Sacred Imperial Majeſty, and of the Holy Roman Empire, altho' abſent, yet as preſent, and his Succeſſors, and eldeſt Male Deſcendants born in lawful Marriage, or to be ſo born, to be our true,  
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lawful and actual Lords and Princes, and Possessors of these Imperial Dutchies of *Parma* and *Placentia*; and that we will always be their faithful, right, true, sincere, and obedient Vassals and Subjects; that we will dutifully receive all their Commands, and faithfully and readily obey them, as we are bound to do; that we will never be present, or Partakers in any Consultation, Combination, Counsel, Design, Conspiracy, or Enterprize, in any of which, any Thing may be concerted or form'd against the said most Serene Lord and Prince *Don Carlos*, his Successors, and lawful eldest Male Descendants, or any of their Officers or Magistrates, or against his or their Properties, Rights, Person or Persons, Dignity, Safety, Interest, or Authority; that we will not our selves commit, nor suffer others to commit any Thing that may tend to the Damage, Detriment, or Prejudice of his or their Properties, Rights, Person or Persons, Honour, Dignity, Safety, or Authority; but on the contrary, if it should come to our Knowledge, that any Thing above mention'd should be imagined, proposed, contrived, attempted, done, and committed by any Person whatsoever, against the said most Serene Lord and Prince *Don Carlos*, his Successors, and lawful eldest Male Descendants, as aforesaid, that we will, with all our Power and Diligence, prevent, hinder, and oppose the same; and will besides, as soon as possible, disclose to our most Serene Lords and Princes themselves, whatever we shall know or apprehend to be design'd or attempted by others, to the Prejudice of their Possessions, Reputation, or Life: And that we will never conspire, contrive, or attempt any Thing against their Safety, Possessions, Honour, and Dignity, either by ourselves or others, nor abet others in so doing; that we will perform all necessary and useful Services, either personally, or with all our Application, Ability, and Obedience, by us so repeatedly here promised to the most Serene Lord and Prince *Don Carlos*, his Successors, and lawful eldest Male Descendants, for the Defence of their Authorities, Rights Dignities, or whatever else may concern them; and that we will further and promote, as far as in us lies, his and their Honour and Interest: Lastly, that we will perform all Things that it becomes faithful, true, right, and obedient Vassals and Subjects to do, towards their true, natural, and rightful Lords and Princes:

So help us God, and his Holy Gospels.

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The Ceremony of taking the Oath being over, the Dutchess Dowager, and those who came with her, went back to the Gate of St. Michael ; and alighting without that Gate, her most Serene Highness, and the Envoy from the Grand Duke, had the Keys of the City put into their Hands by the Imperial Plenipotentiary Count *Stampa*, the Gates being shut while this was doing. Then the Dutchess Dowager and the Grand Duke's Envoy taking upon them an Act of Possession in the Name of the most Serene Infante Don *Carlos*, gave Orders for the Draw-Bridges to be let down, and the Gates to be open'd ; and thereupon, the Imperial Guards retiring from the said Gate of St. Michael, the Militia of the Country took Possession of it, as also of the other Posts of the Town, which the Imperialists quitted. Next Day Count *Stampa* left the City, being saluted at his Departure by the Artillery of the Castle, and the Imperial Garrison is marched out for their Quarters assign'd them in the *Milaneſe*.

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T H E

*Historical Register.*

N U M B E R L X V I .

G R E A T B R I T A I N .

 N the Thirteenth of *January*, the two Houses of Parliament met in Pursuance of their last Prorogation, upon which Occasion his Majesty made the following Most Gracious Speech.

*His Majesty's Most Gracious Speech to both Houses of Parliament, on Thursday the Thirteenth Day of January, 1731.*

*My Lords and Gentlemen,*

**I**T is a great Pleasure to Me, that I am able to acquaint you, that the Expectations which I have from Time to Time given you, of seeing the general Tranquillity of *Europe* restored and established, are now fully answer'd.

The Share of Credit and Influence which the Crown of *Great Britain* has had in bringing about this difficult and desirable Work, and which redounds so much to the Honour and Interest of this Nation, as it is universally confessed abroad, will, I am confident, be agreeable to my People, and acknowledged with Gratitude by you.

It is well known, that from the Time of concluding the Quadruple Alliance, the several Courts of *Europe* have been employed in finding Means to execute what the principal Powers had agreed to, for the Succession of *Tuscany* and *Parma*, in favour of an Infante of *Spain*; but the various jarring and contending Interests, hard to

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be reconciled and united in effectuating a Point of much Importance, the extended Views and Hopes of obtaining on every Side further Advantages, and the natural Jealousies and Distrusts arising among the several Powers concerned, from such opposite Principles and Purposes, had kept in Suspense, and unexecuted, what the Court of *Spain* had very much at Heart, and occasioned such Troubles and Disturbances, as embarrassed the Affairs of *Europe* for many Years, and particularly affected the Interests of this Nation.

You have from Time to Time been informed of the different Measures and Negotiations, that have on all Sides been carrying on during this long unsettled State of Affairs; and you have enabled Me to persevere in maintaining the Rights and Possessions of this Kingdom, and in preserving the Peace and Ballance of *Europe*.

The Preliminary Articles, and the subsequent Transactions thereupon, not answering the Expectations of the Court of *Spain*, and creating a Coolness and Dissatisfaction among the contracting Parties of the first Treaty of *Vienna*, laid the Foundation of the Treaty of *Seville*, and thereby dissolved that Union, which had raised so many Apprehensions, and so long alarmed the World.

The Execution of the Treaty of *Seville* was the great Difficulty that still remained; and this, unsurmountable as it was thought, I have by your Support, and by the Confidence you reposed in Me, been able to overcome by just and honourable Treaties, without coming to Extremities, and without the Hazard and Expence of a general Rupture, or kindling a War in any Part of *Europe*.

*Parma* and *Placentia* are now in the actual Possession of the Infante *Don Carlos*; the six thousand *Spaniards* are quietly admitted and quartered in the Dutchy of *Tuscany*, to secure, by the express Consent and Agreement of the Great Duke, the Reversion of his Dominions; and a Family Convention is made between the Courts of *Spain* and *Tuscany*, for preserving Peace and Friendship between those two Houses, during the Life of the Great Duke.

For perfecting and finishing this tedious Work, conducted through a Series of infinite Changes and Vicissitudes, and incumbered with all the different Views of Interest and Ambition, I concluded the late Treaty of *Vienna*, wherein I have entered into no Engagements con-

contrary to former Treaties, or tending either to aggrandize or reduce the Power or Weight of any Potentate, calculated purely for preserving a due Ballance, and to avoid such Confusion, as new Changes and Convolutions upon future Events would unavoidably create, and wherein *Great Britain* could never stand by, and be an idle Spectator.

When this shall be duly considered, and it shall be seen, that the Wounds which have been long bleeding are intirely healed, groundless Jealousies will cease, ill Humours will subside, and Peace and good Harmony return together; all Diffidence and Distrust, the natural Effect of repeated Delays, artfully instilled, and industriously improved and aggravated, will be removed, and mutual Satisfaction be the Consequence of the punctual and effectual Performance of all Engagements on our Side, which will ever be remembered with great Regard and Honour to this Crown and Nation, and leave an indispensable Obligation upon those that are immediately concerned, to make such Returns as Honour and Justice call for and demand.

*Gentlemen of the House of Commons,*

The Estimates for the Service of the current Year shall be prepar'd and laid before you, which you will observe to be considerably less than those of former Years: It is a Pleasure to me to give Ease to my Subjects, whenever the Welfare of the Publick will admit of it. You have seen the happy Effects of your former Zeal and Resolution; Success has attended my Measures, and you reap the Fruit of my Endeavours, and your Confidence in me; and it must be a Satisfaction to you to reflect, that all the Expences you have lately made, are amply recompensed by preventing and avoiding far greater.

*My Lords and Gentlemen,*

This happy Situation of Affairs, I promise myself, will inspire you all with such Temper and Unity, and such a seasonable Zeal for the Publick Good, as becomes a Parliament sensible of the great Blessings they enjoy: The Duty and Affections of my Subjects are all the Return I desire for my paternal Love and Concern for them. My Government has no Security but what is equally conducive to your Happiness, and to the Protection of my People; and your



Prosperity has no Foundation, but in the Defence and Support of my Government: Our Safety is mutual, our Interests are inseparable.

This Speech from the Throne was answered by the following Address from the House of Lords.

*The Humble Address of the Right Honourable the Lords Spiritual and Temporal in Parliament assembled.*

*Most Gracious Sovereign,*

**W**E your Majesty's most dutiful and loyal Subjects, the Lords Spiritual and Temporal in Parliament assembled, come with Hearts full of Duty and Gratitude, to return the humble Thanks of this House, for your Majesty's most gracious Speech from the Throne.

We should appear insensible of our own Happiness, and disregardful of the Honour of this Nation, if we did not beg Leave to congratulate your Majesty on your having made the Crown of *Great Britain* so great and signal an Instrument of restoring and securing the general Tranquillity of *Europe*, and that in a Manner the most advantageous and most honourable to this Kingdom: Such is the Success we may justly expect will ever attend the Measures of your Majesty, pursuing steadily the true Interest of your People, and assisted with the Advice and Support of a *British* Parliament.

Your Majesty has been graciously pleased to recapitulate the several Treaties and Negotiations framed and carried on, during many Years past, for the adjusting the different Interests and interfering Views of the Great Powers of *Europe*, which, though calculated with the greatest Wisdom and Justice for so desirable an End, have, through a long Scene of violent Contentions, met with those unavoidable Delays, which your Majesty in Tenderneſs to your Subjects, and out of an Anxiety for their Happiness, has so often been pleased to regret from the Throne. We have now the great Satisfaction to observe, that those very Difficulties and Distractions, those jarring and contending Interests, opposite to the Publick Good and to each other, have, by your Majesty's wisely improving each critical Conjunction, by reconciling mutual Pretensions and Claims, or by defeating and disuniting dangerous Leagues and Conjunctions, and above all, by an uninterrupted Perseverance in maintaining the Rights and Possessions of this King-

Kingdom, been each made subservient and contributing, in various Ways, to the great Work of Peace, which your Majesty has so long laboured to procure for us, and has now happily accomplished.

The Difficulties that attended the Execution of the Treaty of *Seville*, without coming to an open Rupture, and trutting to the uncertain Event of War, so much the Grounds of just Concern and Apprehensions in some, and of secret Hopes, or even Boasts of others, have been entirely removed, with the express Consent of those Princes, who alone claimed a Right to oppose it, and who have themselves become Parties in the making it effectual; and such have been the happy Consequences of your Majesty's Measures, that the most successful War, in which, as Experience teaches us, the Prosperous does not always reap the Advantage, could, at the Expence of the Blood and Treasure of this Nation, have produced only that quiet and just Ballance of Power, which your Majesty by Negotiations, and just and honourable Treaties, has established.

Your Majesty has not only given immediate Peace to your Kingdoms, and extinguished those Flames that must very soon have embroiled all *Europe*, but in the finishing this glorious Design, has carried yet further your great Views for the Publick Tranquillity, by framing and concluding the late Treaty of *Vienna*, whereby the Dangers, which too evidently appeared likely to arise, of new Differences and Confusions upon future Events, are, as far as human Prudence can operate, obviated and prevented, without entring into any Engagements contrary to former Treaties, or having a Tendency to raise or depress any Power abroad: And it is from this happy Situation of Affairs, we may reasonably hope, that by our duly supporting and defending your Majesty's Government at home, *Great Britain*, instead of being necessarily involved in new Troubles and Convulsions, may with Safety, Ease, and Honour, share with our Allies the happy Benefits of a general Peace.

The whole Series of your Majesty's Actions had already proclaimed the gracious Declaration, which your Majesty in your great Goodness has been pleased to make from the Throne, That the Safety of the Crown and of the People is mutual, and their Interests are inseparable. This lays us under the highest Obligations to assure your Majesty, that we will proceed in discharging

charging the Trust reposed in us, with such Temper and unanimous Zeal for the Publick Good, as becomes a House of Parliament, truly faithful and affectionate to the Prince that reigns over them, fully sensible, that our Rights and Liberties depend on the Strength and Security of your Majesty's Government, and endeavouring to merit, in some Measure, the Blessings we enjoy.

To which his Majesty was pleas'd to return the following most gracious Answer.

His Majesty's most Gracious Answer.

My Lords,

**I** Thank you for this affectionate and loyal Address. As the Interests of my People, and the securing the Peace and Ballance of Power in Europe, has been my chief Care and Concern, the Satisfaction you shew in the Success of my Endeavours cannot but be extremely acceptable to me.

You may depend upon my Favour and Protection; and I am persuaded I may always rely upon your Duty and Support.

*The Humble Address of the House of Commons to the  
K I N G.*

Most Gracious Sovereign,

**W**E your Majesty's most loyal and dutiful Subjects, the Commons of Great Britain, in Parliament assembled, beg leave to return your Majesty our most humble Thanks for your most Gracious Speech from the Throne.

It is the highest Satisfaction to your faithful Commons, to see the general Tranquillity of Europe restored and re-established by your Majesty's Credit and Influence, which reflects the greatest Glory to the British Crown, and of Consequence to the British Nation; the Honour and Interest of which are always inseparable.

We are fully persuaded, that the Treaties your Majesty has entred into, were made with no other View, than to preserve the Ballance of Power in Europe, and secure the Possessions of the Crown of Great Britain, and all the Rights and Privileges we are entitled to; and we acknowledge with Gratitude your Majesty's Wisdom and Goodness, in procuring for us all these Advantages, without the Expence and Hazards of a War.

We



We are very sensible of the many Difficulties your Majesty laboured under in bringing this great and glorious Work to so happy a Conclusion. The many Obstacles arising from various Pretensions and Jealousies during the Course of these Transactions, unsurmountable as they have been thought, are by your Majesty's Steadiness and Prudence entirely removed; and at a Time, when a War seemed unavoidable, the Settlement of the Succession of *Don Carlos* to the States of *Tuscany* and *Parma* has been peaceably accomplished, and the general Tranquillity of *Europe* preserved by the Weight and Credit of your Majesty's Negotiations.

Thus has your Majesty extricated, not only this Nation, but all *Europe* out of the uncertain State we for many Years laboured under, and that by Means most honourable to your Majesty, consistent with all former Engagements, and without the least Injury to any Prince or Power in *Europe*.

And we humbly assure your Majesty, that having the truest Sense of the many Blessings we have enjoyed during the Course of your Majesty's Reign, and how much our present Happiness is owing to your paternal Love and Care for your People, we will with the greatest Cheerfulness grant the necessary Supplies for the current Service of the Year; and your Majesty will always find such Returns of Duty and Gratitude from us, as the best of Kings may expect from the most Loyal Subjects, fully convinced that the only End of your Majesty's auspicious Government, is the Protection and Prosperity of your People.

To this Address his Majesty was pleas'd to give the following Most Gracious Answer.

Gentlemen,

I Return you my Thanks for this dutiful and loyal Address. I make no Doubt of the Continuance of your Duty, Affection and Confidence in me, and you will always find that all my Views tend to the Honour, Interest, and Security of my Crown and People.

A remarkable Enquiry was made this Session in the House of Commons upon the following Occasion. The Estate of *James*, late Earl of *Derwentwater*, who was concerned in the Rebellion in 1715, had been so settled that upon the Death of his Son *John*, then a Child,

Child, without Issue-Male, the Remainder was to devolve upon his younger Brother *Charles Radcliffe*: But this Brother, *Charles Radcliffe*, being also engaged in the said Rebellion, had thereby forfeited such his Expectation of that Estate; which was sold, by the Commissioners and Trustees of the forfeited Estates which devolved to the Crown upon that Occasion, for the Sum of 1060 *l.* This Purchase was at that Time not taken Notice of; but the above-mentioned *John*, Earl of *Derwentwater*, dying in the 18th Year of his Age, the Estate fell of Course to those who had bought that forfeited Reversion; and being reckoned at the Value of 8 or 9000 *l. per Ann.* it caused great Notice to be taken of the good Fortune of those Purchasers. But some Circumstances also occurring, that bred Suspicions about the Methods used in gaining so great a Bargain, it was thought to deserve the Animadversion of the House of Commons, who appointed a Committee to examine into the Proceedings that passed between the Commissioners and the Purchasers on that Occasion. The Committee accordingly brought in their Report, which shewed there was but too much Ground for those Jealousies; of which Report our Reader will not be displeased to see the following Extract:

*Extract of the Report from the Committee, to whom all the Books, Instruments and Papers relating to the Sale of the Estate of James Earl of Derwentwater were referred.*

**T**HE Report begins with rehearsing two Clauses from two Acts of Parliament, by which the Estates forfeited in the late Rebellion in the Year 1715, were vested in thirteen Commissioners and Trustees for the Use of the Publick; by which Clauses those Commissioners, or any four of them, are impowered to sell the said Estates; the Sale being made by way of Cant or Auction, and publick Notice being given of such Sale, at the least fifteen Days before.

Accordingly, publick Notice was given in the *Gazette*, of a Sale to be made (among others) of the Estate of the late *James Earl of Derwentwater*, valued at 5012 *l. per Ann.* to be sold during the Continuance of an Estate in Tail Male, vested in *Charles Radcliffe*, younger Brother of *James Earl of Derwentwater*, in Remainder, Expectant on the Death of *John Radcliffe*, only Son of the said

aid late Earl, under Age, and without Issue Male; the said Estate, among other Incumbrances, being subject to an Annuity of 200 l. payable to *Charles Radcliffe*, during his Life, which Annuity was forfeited by his Rebellion.

Hereupon, inspecting the Minute Book, wherein the Proceedings of the said Proceedings of the said Commissioners were every Day entered, the Committee found that on *July 11, 1723*, the before-mentioned Annuity is there declared to be sold to *Robert Hackett*, Esq; for 1205 l. without the Arrears, pursuant to an Order of the Board the Day before.

But in the Book, in which the Contracts of the respective Purchasers of the Forfeited Estates are entered, on the Days such Contracts were made, no Contract for the Sale of the said Annuity appeared to be entered; and the Committee observe that among the Contracts dated the 11th of *July*, two Leaves are torn out, and in the same Place a loose Leaf is pinned in, on which appeared to be entered a Contract for the Purchase of the aforesaid Annuity, Signed *Robert Hackett*; which loose Leaf no Ways tallies to the remaining Part of either of the Leaves torn out.

In the Minute Book, where the Proceedings of the Twenty-fourth of *July* are entered, it is there mentioned, That *Mr. Hackett* having refused to perform his Contract, the said Annuity should be put up again to Sale on *Tuesday* then next following.

And in the Book of Contracts the Committee found a Contract signed *Matthew White*, and dated the 30th of the same *July*, in which he is declared Purchaser of the said Annuity of 200 l. together with all the Arrears thereof, from the Attainder of the said *Charles Radcliffe*, for the Sum of 1201 l. 1 s. and no more.

Upon which the Committee inspected the Minutes of the Proceedings of the 30th of *July*, and found only the Names of two of the Commissioners, *Mr. Serjeant Birch*, and *Mr. Bond*, entered, as present that Day; and no Notice taken, that the said Annuity was either put up to Sale by Cant or Auction, or sold; though in the aforesaid Contract *White* is declared to be the best Bidder: Nor did it appear to the Committee by any of the Books or Minutes, that the Commissioners ever demanded from *Hackett* the Forfeitures, directed to be paid by the Act, for not performing his Contract.



In the Minute Book, among the Proceedings of the 11th of July 1723, the Committee found, that the Estates of the late Earl of *Derwentwater*, in the Counties of *Northumberland* and *Cumberland*, were sold to *William Smith*, Esq; of *Billiter-Square*, London, for 1060*l*. But upon inspecting the Book of Contracts, where those dated the 11th of the same July are entered, the Committee found no such Contract entered there; but two Leaves appeared to be torn out: And after several Contracts dated between the 11th and the 30th of the same Month, a Contract is entered, signed *William Smith*, and dated as on the 11th; by which the Estate Tail vested in *Charles Radcliffe* in Remainder expectant on the Death of *John Radcliffe* without Issue Male, and also the Reversion in Fee of the said late Earl's Estates in *Northumberland* and *Cumberland*, subject to the Charges and Annuities mentioned in the printed Particular, are sold to the said *Smith* for 1060*l*.

It also appeared to the Committee by an Original Precept, sealed and signed with the Names of four Commissioners, and directed to the said *William Smith*, requiring him to pay into the Exchequer 1060*l*. that the said Money was for the Purchase of Part of the Estate of the late Earl of *Derwentwater*, in the Counties of *Northumberland* and *Cumberland*.

Upon examining the Books, where Copies of the several Conveyances are entred; the Committee found, that in Pursuance of the last mentioned Contract, a Conveyance was executed by the said Commissioners, dated the 28th of September 1723, whereby the said late Earl's Estates in the Counties of *Northumberland* and *Cumberland*, and the County Palatine of *Durham*, are conveyed to the said *Smith*.

It appearing to the Committee in the Course of their Examination, that Leaves have been torn or cut out, Erasurements made, and Interlineations inserted in the Minute Book and Book of Contracts: They first examined in the most solemn Manner, Mr. *George Turbill*; who said, that he was formerly Register to the Commissioners for the Sale of the Forfeited Estates, and is now Keeper of the Records and Papers belonging to the said Commission; that, since the said Records and Papers were delivered to him by Mr. *Allen*, the then Secretary, to the said Commissioners, they have never been out of his Custody, nor have any Alterations been made in them, to his Knowledge, since that Time.

That

That the first Time he observed Leaves to be torn out of the Book of Contracts, was, when Mr. *Smith* lately applied to him for Copies of some Claims, and the Contract for Sale of the late Lord *Derwentwater's* Estate. Upon the Examinant's searching for the said Contract (which is dated the 11th of *July*, 1723) it was not entered among the Contracts of that Date, but Leaves had been there torn out, and he found it entered subsequent to another Contract, dated the 30th of the same *July*.

Being shewn a loose Leaf, on which is entered the Contract for the Sale of Mr. *Radcliff's* Annuity to *Hacket*, and asked, where he found that Leaf, he answered, he found it at the End of the Contract Book; but pinned it into the Place, where he thought it belonged, and the first Time he saw it, was, when the before-mentioned Application was made to him by *Smith*.

Mr. *Samuel Allen*, being also examined in the most solemn Manner, said, That he was appointed by the said Commissioners, first to be their Solicitor, and afterwards, upon the Removal of the late Mr. *Martin*, to be their Secretary; that he always locked up the Book of Contracts in the Commissioners Room; and upon his making Enquiry lately among *Martin's* Clerks, how Leaves came to be torn out of the said Book, they could give him no Account of that Matter.

The Book being shewn him, where *Smith's* Contract, dated the 11th of *July*, is entered, subsequent to one dated the 30th; and he asked the Reason of it, he answered, it was wrote by one *Cooke*, a Clerk at that Time in the Office; and the Examinant believed the first Contract was torn out, and another was afterwards made, and antedated; and he said, he believed that several Leaves had been torn out before he entered upon the Office of Secretary, and might afterwards, but he never tore out any himself, nor did he remember he gave any Orders for so doing; if he did, it was when Contracts entered wrong by the Clerks have been torn out by the Commissioners Order; for he should never have given such Orders himself without their Direction.

He further said, That he believed several Leaves, between the 11th and 18th of *July*, 1723, might be cut out of the said Book, whilst in his Custody, but he knows nothing of the loose Leaf before mentioned, nor that there was any loose Leaf in the said Book when

he deliver'd it to Mr. Turbill ; however, that there was not any at that Time, he would not positively affirm.

Mr. *William Cooke*, being examined in the most solemn Manner, said, That he was Registering Clerk to the Commissioners, and Engrossing Clerk of the Decrees.

Upon his being shewn the loose Leaf, whereon is entred *Hackett's* Contract mentioned before, and examined in Relation thereto, he said, That Contract was of his Hand-writing, he sometimes entering Contracts, when the Clerk, whose Business it was to do it, was otherwise employ'd ; but being so long since, he could not remember whether he wrote it in a Book, or on a loose Sheet of Paper ; but he did not remember that he ever wrote any Contract on a loose Leaf.

He likewise said, That Mr. *White's* Contract for the Purchase of Mr. *Radcliff's* Annuity, dated the 30th of July 1723, and Mr. *Smith's* Contract, dated the 11th of the same Month, were of his Hand-writing ; but he could not remember the Days of the Month on which he wrote the same ; yet he believed by the Order in which they are entered in the Book, that *Smith's* Contract, dated the 11th, was wrote after *White's*, dated the 30th. And he said he had his Directions concerning this Contract of *Smith's*, from one Mr. *Harris* only.

Mr. *John Harris*, being examined in the most solemn Manner, said, That he was Clerk under the Secretary to the said Commissioners, and being asked from whom he had the Draught of Mr. *Smith's* Contract, dated the 11th of July, and entered subsequent to *White's* of the 30th, he answer'd, He had it from Mr. *Allen*, but remembered no Orders he gave to *Cooke* relating thereto, though *Cooke* sometimes assisted him.

Being asked, If he never observed any Leaves to be torn out of the Book of Contracts, he said, the first Time he did was at his former Examination before the Committee ; but he believed it had been a Practice in the Office to tear them out when Mistakes have happened in the Writing, or the Particular of an Estate has been defective, or a better Title has been made appear ; but then it was never done without Order from the Board of Commissioners.

He further said, That he always attended the Sales of the Forfeited Estates, and particularly remembered he was present the 11th of July 1723, when the late Lord *Derwentwater's* Estate was set up to Sale ; and



he believed it was then sold to Mr. *Smith*; that the Contract was entered that Day in the Book; and he believed he was Witness to it, because he was Witness to the other Contracts entered the same Day.

Then he was shewn the Book of Contracts; and not finding it entered among the other Contracts of that Date witnessed by him, the Examinant said, he believed it was torn or cut out, but by whom, or at what Time this was done, he could not remember.

Whereupon he was directed to declare what he knew, or had heard relating to this Matter; and he inform'd the Committee, That Mr. *Allen* and himself went to Mr. *Smith*, to know of him the Particulars of his Contract being cut out, and at what Time it was done. Mr. *Smith* told them, he believed it was done upon his Application to the Board of Commissioners, when he made it appear to them, that they had a better Estate or Interest left in them, than what they had sold to him; and therefore he had got an Order for a new Contract, the Draught of which *Smith* (upon the Examinant's asking him) said, he believed was made out by the late Mr. *Moor*, who was then Master of the References. The Examinant then asking *Smith* who tore out the first Contract; his Answer was, He did not see it torn out, nor did he know who did it, but he believed it was done the 30th of July; the Examinant said, Mr. *Smith* did not mention the Names of the Commissioners present the Day this Order was made; but upon *Allen's* asking him from whom he had this Intelligence of the additional Estate, *Smith* answered, from Mr. *Moor*.

Mr. *Allen*, in his Examination, confirmed what Mr. *Harris* said in Relation to that which *Smith* told *Harris* and him; and added likewise, That *Smith* said the new Contract was made for the same Consideration as the former.

Mr. *Turbill* also in his Examination, gave Information to the Committee, That Mr. *Smith* had, since this Enquiry began, given him the same Account in Relation to the vacating his first Contract; and that *Smith* told him, that upon his Application to the Commissioners, another Contract was made about twenty Days after, but dated as on the 11th of July.

And Mr. *Turbill* in another Part of his Examination said, That some Time after the Death of Mr. *Radcliffe*, Son to the late Earl of *Derwentwater*, the Examinant then being in the Country, Mr. *Smith* wrote him a Letter,

Letter, acquainting him, that now Mr. *Radcliffe* was dead they should want Copies of several Claims and Decrees.

Hereupon Mr. *Turbill* was asked if he knew what Mr. *Smith* meant when he made use of the Word *They*; and he answer'd, he supposed he meant other Persons that were linked with him in the Purchase.

The Examinant being asked if he knew who those Persons were; he said, he had often heard Mr. *Smith* say that Mr. *John Bond*, Sir *Joseph Eyles*, and Mr. *White* (the Purchaser of Mr. *Radcliffe's* Annuity) were concerned in the Purchase of the said late Earl's Land Estate; and the Examinant said, he remembered Mr. *Smith* told him, that on the 11th of *July*, the Day of the Sale of this Estate, he the said *Smith*, upon seeing the printed Particular of the Estate hang up in the Office, asked one or more of the Persons abovenamed, if they would be concerned in a Lottery, and the Examinant thought he mentioned *White*; That since this Enquiry the Examinant has also heard *Smith* say, That he and *White* were jointly concerned in the Purchase of the Annuity; but he did not mention, whether they were concerned at the Time of the Purchase, or since.

The Commissioners also examined Mr. *Allen* and Mr. *Turbill*, whether Notice had been given of Mr. *Radcliffe's* Annuity being put up to Sale after that Mr. *Hackett* went off from his Bargain, as mentioned before.

And Mr. *Allen* said, That he believed no Notice was given of a second Sale of the said Annuity, nor did he remember that he ever had any Orders for such Notice.

Mr. *Turbill* said likewise, That he never had any Orders for Notice of that Sale himself, nor knew of any given to others, neither had he any Notes of Bidding at such second Sale.

By the Minute Book of the Proceedings of the said Commissioners, and by the Book of Contracts it appeared to the Committee, That several Contracts for Sales bear Date respectively on the Days, on which the Names of two of the Commissioners only are entered as present, in the Minutes of those Days Proceedings.

And Mr. *Allen* being examined, Whether any Estates had been sold when four Commissioners were not present;

He said, that on the 30th of *July*, the impropriate Tythes of *Bucklebury*, the Estate of the late Lord *Bolingbroke*,

broke, was sold to one *Samuel Child* for 2025 *l.* and Mr. *White's* Contract for Mr. *Radcliff's* Annuity was executed and witnessed by him, when only two Commissioners, Mr. Serjeant *Birch* and Mr. *Bond* were present; and had there been any Sale that Day, the Examinant should have known it, being present all that Day, and the Minutes of his Writing; and if any other Commissioners had been present, he should have entered their Names in the Minutes; for he believed he never forgot at any Time to enter therein the Names of the Commissioners that were present.

Mr. *Harris* likewise said in his Examination, That he happening to come into the Board Room the said 30th of *July* upon Business, Mr. Serjeant *Birch* and Mr. *Bond* were there, and he does not remember that on that Day any other Commissioners were present.

Then Mr. *Allen* was ask'd by the Committee, whether to supply the Defect of a sufficient Number of Commissioners at the Board, such Commissioners as were absent have not afterwards set their Names to Papers or Instruments, or ordered others to do it for them: And

He answered, That he had set Sir *John Eyles's* Name to Contracts, as if he had been present; and that he had a general Direction from Sir *John Eyles* and Sir *Thomas Hales*, to set their Names to Warrants, Precepts, Contracts, or any Thing done at the Board; that they knew he did it, and approved of it; otherwise he should not have ventured to have done it; and he said he had those Orders soon after he officiated as Secretary; but he had no such Orders from any of the other Commissioners, nor did he know of any such Orders given to others.

Mr. *Chocke* laid before the Committee, pursuant to their Order, two original Precepts from the said Commissioners, the one dated the 11th of *July*, 1723, and directed to *William Smith*, Esq; to pay into the Exchequer 1060 *l.* for the Purchase of part of Lord *Derwentwater's* Estate, and the other dated the 30th of the same Month, and directed to *Matthew White*, Esq; to pay likewise 1201 *l.* 1 *s.* for the Purchase of Mr. *Radcliff's* Annuity payable thereout: Both which Precepts are sealed, and are signed with the Names of *Dennis Bond*, *John Birch*, *John Eyles*, and *Thomas Hales*.

Upon Notice being taken by the Committee of some Words, or Memorandum wrote on the Precept dated the 11th of *July*,

Mr



Mr. *Chocke* said, that a Person came to pay Money, pursuant to that Precept, on the 29th of the same July, but went back, and came again, and paid it on the 31st.

Mr. *Allen* was first called in, and being shewed the said Precepts, and examined, he said at first, That he wrote the Names of Sir *John Eyles* and Sir *Thomas Hales* to both of them; afterwards he owned himself mistaken as to Sir *John Eyles*'s Name being signed by the Examinant to that of the 11th of July; but said he signed Sir *Thomas Hales*'s Name to it, and both their Names to that of the 30th.

Being asked where he signed them, he said, in the Board-Room, when only Mr. Serjeant *Birch* and Mr. *Bond* were present; that they never made any Objection to his signing, but upon several Occasions have called upon him to do it.

He was then asked if Sir *Thomas Hales* never left Orders for the Examinant to Sign after he has been gone; and he answer'd, he believed he had several Times; but whether Sir *Thomas Hales* was present that Day or not, he could not tell.

Being asked, whether he had not entered the Names of Commissioners in the Minute-Book, as present, tho' they were absent; and being shewn the Minute of the 11th of July 1723, where the Names of four Commissioners are entered, as present, viz. Mr. Serjeant *Birch*, Mr. *Bond*, Sir *John Eyles*, and Sir *Thomas Hales*, he said, he believed he entered the Names of Sir *John Eyles* and Sir *Thomas Hales* as present, though absent, to tally with their Names, which he had put to the Warrants or Contracts of the Day.

Then he was shewn the Minute of the 30th of the same July, where the Names of Mr. Serjeant *Birch* and Mr. *Bond* only are entered as present; and being asked why he did not then enter the Names of Sir *John Eyles* and Sir *Thomas Hales*, he said he could not recollect the Reason of that Particular.

He was then examined upon what Occasion Sir *John Eyles* and Sir *Thomas Hales* gave him Orders to sign their Names when absent; and he answer'd, it was for want of a sufficient Number of Commissioners present at the Board to dispatch Business; but when any Business of Consequence was to be transacted, Sir *John Eyles* has been sent for, and has often attended upon such Notice; and at other Times the Examinant has waited

waited on him at his House, with Contracts for him to sign.

Being further examin'd, he said, That he never extended this Power to any Deeds of Conveyance, or to any Thing, but what he then apprehended to be Matters of Form ; and that, when this Power was given him, the Limitation was to Matters of Form.

He was thereupon ask'd, What he apprehended to be Matters of Form ; and his Answer was, A great many Things, such as, Orders for Persons to attend to give their Testimony ; for Persons to appear and give in their Claims ; and Precepts for paying Money into the Exchequer ; and what the Act directed to be sign'd by four of the Commissioners, he then did take to be Matters of Form ; but he could not say, he took the Attendance of four of the Commissioners, as requir'd by the Act, to be a Matter of Form.

Being asked, Whether he thought Contracts for Sales of Estates were Matters of Form, he said, he did at that Time take them to be so ; and said, that the Commissioners sign'd and seal'd the Contracts they gave to the Purchaser (when demanded) at the same Time that the Purchaser sign'd his, but the same was not seal'd or deliver'd in the Manner that Deeds are when executed ; and that which the Purchaser sign'd, was always witnessed ; and that he look'd upon these Contracts to bind the Commissioners to execute the Bargains of Sale to the Purchaser, according as the Act directs.

Upon which he was ask'd, if he ever put his Hand and Seal to any of those Contracts, he said, he had sign'd the Names of Sir John Eyles and Sir Thomas Hales to Contracts, and seal'd them with a Seal, that was in the Office, but that he never had Sir John Eyles's or Sir Thomas Hales's Seal ; and he never remember'd any Contracts to be sign'd out of the Board Room, either by the Commissioners, or Purchasers.

Being ask'd, whether Smith and White, at the Time their Contracts were sign'd, made any Objection to there being but two Commissioners present, or to his signing thereto the Names of Sir John Eyles and Sir Tho. Hales, he answer'd, they made no Objection, nor could he say they saw him sign, any otherwise than as they were at the Board the Time the Examinant sign'd them.

Mr. Harris (as being Witness to all the Contracts dated the 11th of July) was asked, whether Mr. Smith made any Objection to Mr. Allen's signing Sir Thomas Hales's

*Hales's* Name to his Contract made the 11th; and he said, he remembered no Objection made by *Smith*.

But in another Part of his Examination, he informed the Committee, that having Occasion to go into the Board Room on the 30th of *July*, he saw *Mr. Allen* sign *Sir John Eyles's* Name to *Smith's* Contract made that Day, and dated the 11th; and he more particularly remembers this, because it is the last Contract entered in the Book.

*Mr. William Marwood*, being examined in the most solemn Manner, said, he was formerly Clerk to the Master of the References, and to the best of his Remembrance he attended at the Sale of the late Lord *Derwentwater's* Estate on the 11th of *July*, and carried in the Notes of Bidding at that Sale, when *Mr. Smith* was then declared the best Bidder.

Being asked, who were the Commissioners then present, he answered there were four, but could not name any besides *Mr. Serjeant Birch*, who was then in the Chair; and that he never saw a Sale without four.

He was asked, several Times, if he could be positive there were four present on the 11th of *July*; and he said, he could not be positive, but to the best of his Remembrance and Belief he thought there were four present.

The Committee observing, that in the printed Particular of the Lord *Derwentwater's* Estate, the Value is there computed to be 5013 *l. per Ann.* and the Timber valued at 4500 *l.* they examined in the most solemn Manner,

*Mr. Henry Rodbourne*, who said, that about three Years ago he was upon the Estate; that the same is Improveable; and there are several Lead Mines upon it; and that he computed the Value of the Estate, with the Profits of the Mines, which are worked, to be about 6300 *l.* or 6400 *l. per Ann.* and the Estate is increased since the Time of Sale about 2, 3, or 400 *l. per Ann.* He also said, That since the late Earl's Death, his Son had only a Power to grant Leases during the Term of his Minority, and for that Reason the Mines have been neglected; but if the said Estate and Mines were to be let out upon Leases for the Term of Twenty-one, and Thirty-one Years, the Whole might, according to his Judgment, be made worth about 9000 *l. per Ann.*

*Mr. Joseph Studeley*, being examined in the most solemn Manner, said, That he was present the 11th of *July*,



July, 1723, when the late Lord *Derwentwater's* Estate was put up to Sale at 2000 *l.* that the Examinant came to bid for it at the Desire of one Mr. *Penfon*, but no Person bidding for it while he staid, and other Estates being set up to Sale before he came away, he thought it would not be sold that Day, and therefore he went and told Mr. *Penfon* (who waited for him) that he believed the Estate would not be sold that Day, and had the Examinant thought it would, he should have staid, for he came on Purpose to bid for it by Mr. *Penfon's* Orders, but was not to bid 'till others had bid before; and further said, That when an Estate had been set up, and no Body bid, it was usual to put it up at a lower Price the same Day.

Being asked what one *Tooke* had told him in Relation to this Affair; he answer'd, That about a Week after *Tooke* told him, it was a huddled up clandestine Sale: And *Tooke* then belonged to the Office; whereupon,

Mr. *Nicholas Tooke*, being examined in the most solemn Manner, said, That he did not remember he had any such Conversation with *Studeley*, but had conversed with *Studeley* several Times.

But he said, That he was at the Sale of the late Lord *Derwentwater's* Estate, and having Occasion to speak with Sir *Thomas Hales*, he sent his Servant from an outward Room into the Office, to know if he was there; and he brought him Word, that he was not there; but the Examinant did not know whether Sir *Thomas Hales* might not come after he went away; for that he staid not above an Hour in the Forenoon, but went away before the Estate was sold; and when it was first put up, the Examinant was not there.

Mr. *Smith*, the Purchaser of this Estate, was summoned to attend the Committee; but they did not think it proper to oblige him to be examined: And therefore, upon the Question being asked him, whether he was willing to be examined touching the Subject Matter of their Enquiry; the next Day he acquainted the Committee, That he hoped they would not take it amiss if he declined such Examination.

Upon this, *Dennis Bond*, Esq; and Mr. *Serjeant Birch*, were expell'd the House; and Sir *John Eyles* being voted guilty of a great Irregularity, was reprimanded in his Place by Mr. Speaker; besides which, a Bill pass'd the House to make void the Sale.

The following has been published as the Reprimand given to Sir *John Eyles* by the Speaker, and Sir *John Eyles's* Answer.

*The Speaker's Reprimand to Sir John Eyles, March 31, 1732.*

Sir *John Eyles*,

**T**HE House have come to a Resolution, that you are guilty of a great Irregularity, as a Commissioner and Trustee for Sale of the Forfeited Estates for the Use of the Publick, by empowering *Mr. Samuel Allen*, Secretary of the Commissioners and Trustees for the Sale of the said Estates, to sign your Name, when absent, in Order to make up the Number of Commissioners and Trustees required by Act of Parliament, to Matters of Form, in Proceedings under the said Act :

And have imposed a Command upon me, which is the only one, I can truly say, that I ever received with any Uneasiness in the Place I now sit ; not from any Doubt of the Justice of the Command, nor from any Unwillingness in me to obey an Order of the House ; but because you, Sir, are unfortunately the Subject of it, for whom I have always had the greatest Personal Regard.

The Offence you are guilty of, having come within the Notice of the House, it was impossible it should escape their Censure, as it had a Reference to a Trust reposed in you ; repos'd by Parliament ! the highest and most sacred Authority any Subject of this Kingdom can act under ! and with a particular Confidence in you, and the others join'd with you, because of the Relation you bore to the Parliament : A Trust of great Importance, and which required great Pains and Attention to it, and for that a very considerable Recompence was assigned to you out of the publick Treasure. The Recompence, Sir, you enjoy'd ; but the Pains and Attention expected from you, you fail'd in, and illegally delegated your Trust in Instances where a false and fraudulent Use has been made of it.

But, happy for you, Sir, it appears to the House to have been a Matter rather of evil Example, than evil Intention in you ; for which Reason, the Resolutions of the House, on this Occasion, have a Mixture of Justice and Mercy ; and as your Offence will always justify the Censure of the House upon you, let it be your

Care,

Care, Sir, that your future Behaviour always justify the Lenity of the House to you. Let the Justice of the House make you fear, and the Clemency of the House make it a Matter of Sorrow in you to offend again.

This Sense I persuade myself you have of the Judgment the House has pass'd upon you, which is, That I reprimand you for your said Offence, and I do reprimand you accordingly.

*Sir John Eyles's Reply, after having been reprimanded by the Speaker, pursuant to the Order of the House of Commons, March 31, 1732.*

S I R,

I AM very much ashamed of an Offence that has drawn upon me the Animadversions and Censure of this House; an Offence which at the Time of committing it, I had scarce any Idea of being subject to Blame for. I am now made truly sensible of it, and the strong and lively Colours in which you, Sir, have drawn it, will be to me a lasting Memento of future Caution.

The Judgment the House has passed upon me I endure with a dutiful Submission; and you, Sir, having shewn that Tendernefs and Humanity which is agreeable to your Nature, in pronouncing it, and thereby, in some Degree, abated its Rigour; I cannot but express my grateful and sincere Acknowledgement to yourself, and also to the House, for their Favour in not carrying this Censure to any further Consequence.

In the Session of Parliament of the last Year, an Enquiry was began into the State of the Courts in *Westminster-Hall*, with Respect to the Officers belonging to them, and the Fees demanded by them; the great Number of the one, and the Exorbitance of the other having long been among many Persons a standing Topick of Complaint. Accordingly, the Commons ordered that Lists of those Officers, and Accounts of their Fees should be delivered to the House, to be there examined; which was done during the last and present Years. A Committee was hereupon appointed, to whom the abovesaid Lists, &c. were referred; who having began their Examination with the Court of Chancery, brought in a Report concerning the said Court, of which we shall give the following Extract:

*Extract*



*Extract of the Report of the Committee to whom the several Lists of Officers and their Deputies belonging to the several Courts in Westminster-Hall, and elsewhere, &c. were referred.*

THE Committee taking into Consideration the great Number of Officers and Clerks, who have presented to this House Lists of Fees, thought it necessary to examine into the Fees of the Officers of each Court separately; and to begin with the Court of *Chancery*, which is a Court always open, and which exercises the most extensive Jurisdiction, and abounds with Clerks and Officers.

The Committee enquired, of what Officers the Court of *Chancery* did anciently consist; and what Regulation of their Fees had been made; and what Methods used to prevent the Increase of unnecessary Officers, and the Exaction of illegal Fees.

It appeared to the Committee, that Commissions to enquire into the Behaviour of Officers in Courts of Justice, Ecclesiastical and Civil, were frequently issued in former Times to several great Officers of the Kingdom, and others, with Power to correct Abuses, and with Direction to certify their Proceedings either to the King in Council, or into the Court of *Chancery*.

The Inrollment of two such Commissions in the Reign of *James the First*, and of four in the Reign of *Charles the First*, were produced to the Committee from the Records in the Chapel of the Rolls: But no such Commission has issued since the Restoration of *Charles the Second*.

Another Method of reforming Abuses in the Courts of Justice was, by the Presentment of experienced Practitioners upon Oath, appointed by the Judges of the several Courts to enquire what Fees had been exacted, other than the ancient and usual Fees.

A Presentment upon Oath of fifteen Persons in the 20th of *Elizabeth*, for the better Reformation of sundry Exactions and Abuses supposed to be committed by Officers, Clerks, and Ministers in the High Court of *Chancery*, was shewed to the Committee, by which Presentment it plainly appeared, who were the Officers of the Court at that Time, and what were their legal Fees.

But as the Officers of the Court of *Chancery* are exceedingly increased since that Time by Patents and Grants, and many Secretaries and Clerks, and other Honorary Attendants upon the Judges of that Court, appear now to claim large Fees, whose Services were unknown to the ancient Practicers in the 40th of *Elizabeth*, the Committee thought it proper to make a List of such Offices, as appear to be ancient, and necessary to the Justice of the Court, and a List of such as have since grown up insensibly into Offices of great Profit, and much increased the Expence of the Proceedings of the Court: Which Lists are hereunto annexed, *Appendix N<sup>o</sup> I. and II.*

By the Presentment of Fees in the 40th of *Elizabeth*, and by the Lists of Fees lately presented to this House, it appears, that many Fees of several ancient Officers then allowed continue the same to this Time, particularly of the Examiners, the Curstors, the Clerk of the Subpœna's, the Clerk of the Chapel of the Rolls, the Clerks of the Petty Bag, the Six Clerks, and others; which the Committee think very observable, and consider as the Effect of a good Regulation once established, which has been able to preserve itself for above 130 Years, against the Incroachments of Officers on all Sides in the same Court.

The Abolition of the Court of Star-Chamber, and of the Court of Wards and Liveries, together with all the Writs and Proceedings of those Courts, has extinguished some Offices, and reduced the Profit of some ancient Officers of the Court of *Chancery*; and the Alteration, which Time has introduced into the Practice of the Court, has greatly raised the Profit of other Officers, who are concerned in the Proceedings in Equity, by the multiplying of Petitions, Bills, Answers, Pleadings, Examinations, Decrees, and other Forms and Copies of them, and extending them frequently to an unnecessary Length.

It appeared to the Committee, that the Charge of Drawing and Entering an Order in the Court of *Chancery* anciently was but one or two Shillings, and never exceeded 3s. until the Time that the Office of Register was erected, and a Grant made of it; and that all Orders, Dismissions, and Decrees were endorsed upon the Pleadings. The Fee of three Shillings and six Pence for each Side in all Causes, and of seven Shillings a Side in Causes by Consent, now claimed by the Register and  
his

his Deputies, appear to the Committee to be a heavy Burthen upon the Client, especially considering the long Recitals in Decrees and Orders of late Times, which the Deputy-Registers did acknowledge to consist frequently of 20, 30, 40, or more Sides; and considering that other Forms in the same Court, are charged 8 *d.* or at most 1 *s.* a Side.

The Charge of Eight Pence a Side for Copies receiv'd by the Masters, and by the Six Clerks is an ancient Fee, where Copies are necessary; but the Committee were inform'd, that Copies are frequently forc'd upon the Client contrary to his Desire, and claimed by Officers as due to them, or charged by Solicitors, tho' neither claim'd or paid; which, considering the prodigious Length of some Forms, and that the whole Proceedings in Causes consist often of several Thousand Sheets, is a grievous Abuse, that ought to be reform'd.

The Masters in *Chancery* claim 2 *s.* for every Summons, which the Committee admit to be reasonable; but are inform'd, that Abuses have been often committed by a great Number of Summons issuing without any Attendance of the Clerks or Solicitors, who nevertheless may charge their Clients for such Summons and their Attendance, because few Bills are regularly taxed before the Masters, which Mr. *Holford* and Mr. *Elde*, Masters in *Chancery*, did affirm to be a principal Occasion of the Increase of Expence in Causes, the Solicitors generally taking upon themselves to tax one anothers Bills, and making what Allowances they think fit.

The Committee apprehend, that the Fees of the Secretaries, Clerks, and other Officers, who do not appear to have been known formerly to the Court, have never undergone any publick Examination; that many different Offices render the Business of the Court very inconvenient to the Suitor, and greatly encourage the Demand of new Fees.

It appear'd to the Committee, that Orders had sometimes been made for the Officers to hang up publicly Lists of their Fees, most of which Lists are since withdrawn, or have been suffer'd to decay, and become so useless, that the Officers themselves seem'd often doubtful what Fees to claim; and most of them rely'd upon no better Evidence, than some Information from their Predecessors, or the Deputies of their Predecessors, that such Fees had been demanded and receiv'd.

Among



Among the various Claims of those, who now call themselves Officers of the Court of *Chancery*, none appear'd more extraordinary to the Committee, than the Fee of the Secretary and Clerk of the Briefs, who, upon Grants to enable Persons to beg and collect Alms, claim and frequently receive a Fee of 40, 50, or 60*l*. And the Register takes besides, 12 or 13*l*. for stamping and telling the Briefs; which Fees, with other great Charges upon the Collection, devour three Parts in four of what is given for the Relief of Persons reduc'd to extreme Poverty by Fire, or other Accidents.

The Clerk of the Lunaticks and Ideots informed the Committee, that he had never seen any Account of his Fees 'till lately; he believes, not 'till a List of them was order'd to be laid before this House; that Mr. *Lewis*, who had been Deputy in his Office for 34 Years, had constantly refused to shew any List to Mr. *Bennet* his Predecessor; and that he had no other Rule in the Demand of his Fees, for three or four Years, but Receipts and loose Papers, which he found in his Office; but that the Fees which he took, appear to agree exactly with the Fees contain'd in the List, which he has so lately discover'd.

Such were the Accounts of Fees, which the Officers gave the Committee, who took into Consideration the great Difficulty they had even to discover of what Officers, Clerks, and Ministers the Court of *Chancery* does at present consist, or in what Terms to describe their Offices and Employments, so as to make them discover themselves; and observing how little able or willing many Officers were to give any Satisfactory Account of the Fees they claim and receive, came to the following Resolutions.

*Resolved,*

That it is the Opinion of this Committee, That the long Disuse of publick Enquiries into the Behaviour of the Officers, Clerks, and Ministers of the Courts of Justice, has been an Occasion of the Increase of unnecessary Officers, and given Encouragement to the taking illegal Fees.

*Resolved,*

That it is the Opinion of this Committee, That the Interest which a great Number of Officers and Clerks have in the Proceedings in the Court of *Chancery*, has been a principal Cause of extending Bills, Answers, Pleadings, Examinations, and other Forms, and Copies

them to an unnecessary Length, to the great Delay of Justice, and the Oppression of the Subject.

*Resolved,*

That it is the Opinion of this Committee, That a Table of all the Officers, Ministers, and Clerks, and of their Fees in the Court of *Chancery*, should be fixed and established by Authority, which Table should be register'd in a Book in the said Court, to be at all Times inspected *gratis*; and a Copy of it sign'd and attested by the Judges of the Court, should be returned to each House of Parliament, to remain among the Records.

#### A P P E N D I X. N<sup>o</sup> I.

*A LIST of the Officers of the Court of Chancery in the Fortieth Year of the Reign of Queen Elizabeth.*

**T**HE Masters of the Chancery.

The Clerk of the Crown.

The Prothonotary.

The Clerk of the Hanaper.

The Six Clerks.

The Clerks of the Petty Bag.

The Examiners.

The Curfitors.

The Register.

The Warden of the Fleet.

The Usher.

The Sealer and Chase Wax.

The Clerk of the Dispensations and Faculties.

The Clerk of the Leafes.

The Clerk for Commissions of Appeal.

The Clerk of the Records in the Tower.

The Clerk for Licences and Pardons of Alienations.

The Clerk for writing of Custodies and Proceſs out of the Court of Wards.

The Clerk for writing the Proceſs in the Star-Chamber.

The Clerk for writing Subpoena's in the Chancery.

The Clerk for writing of Presentations.

The Clerk for writing of Protections for Hospitals.

The Clerk for writing of Licences for Wines.

The Office for filing of the *English* Pleadings exhibited in Chancery.

The Office for the Examination of Letters Patents in the Chancery.

The Clerk of the Chapel in the Rolls.

The Clerks of the Inrolments.

N<sup>o</sup> II.

Nº II.

*A LIST of the Officers of the Court of Chancery, in the Year 1732.*

**T**HE Masters in Chancery.

The Clerk of the Crown.

The Prothonotary.

The Clerk of the Hanaper.

The Comptrollers of the Hanaper.

The Six Clerks.

The Sixty Clerks.

The Clerks of the Petty-Bag.

The Examiners.

The Copying Clerks in the Office of the Examiners.

The Curfitors.

The Register.

The Clerk of the Reports }  
The Entering Clerks } in the Register's Office.  
The Warden of the Fleet, }

The Usher.

The Sealer.

The Chafe-Wax.

The Clerk of the Dispensations and Faculties.

The Clerk of the Presentations.

The Clerk of the Leases.

The Keeper of the Records in the Tower.

The Patentees of the Subpœna-Office.

The Clerk of the Chapel of the Rolls.

The Clerks of the Inrolments.

The Clerk of the Patents.

The Clerk of the Briefs.

The Clerk of the Custodies, and Patentee for making out of Commissions of Lunaticks and Ideots.

The Patentee of the Six-penny Writ Office.

The Patentees for making out Commissions of Bankruptcy.

The Register for enrolling Proceedings in Matters of Bankruptcy.

The Register of Affidavits.

The Receiver of the Fines.

The Serjeant at Arms attending the Great Seal.

The Messenger attending the Great Seal.

The Door-keeper of the Court.



them to an unnecessary Length, to the great Delay of Justice, and the Oppression of the Subject.

*Resolved,*

That it is the Opinion of this Committee, That a Table of all the Officers, Ministers, and Clerks, and of their Fees in the Court of *Chancery*, should be fixed and established by Authority, which Table should be register'd in a Book in the said Court, to be at all Times inspected *gratis*; and a Copy of it sign'd and attested by the Judges of the Court, should be returned to each House of Parliament, to remain among the Records.

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The Clerks of the Petty Bag.

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The Usher.

The Sealer and Chase Wax.

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The Clerk of the Chapel in the Rolls.

The Clerks of the Inrolments.

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The Clerk of the Hanaper.

The Comptrollers of the Hanaper.

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The Door-keeper of the Court.

The Purse-Bearer	}	
The Secretary		
The Secretary of the Presentations		
The Secretary of the Commissions of the Peace, &c.		
The Secretary of the Commissions of Lunacy and Ideocy		
The Secretary of the Commissions of Bankruptcy		} to the Lord Chancellor.
The Secretary of the Briefs		
The Secretary of Decrees and Injunctions		
The Secretary of the Appeals		
The Gentlemen of the Chambers		
The Usher of the Hall	}	
The Porter		
The Secretaries		
The Secretary of Causes		} to the Master of the Rolls.
The Secretary of Decrees and Injunctions		
The Gentlemen of the Chamber		

The Resolutions of the Committee being severally read a second Time, were, upon the Question severally put thereupon, agreed unto by the House, *nem. con.*

But the most important Enquiry made this Session related to the *Charitable Corporation*. This Society was first erected in the Time of *Queen Anne*; their professed Intention being to lend Money at legal Interest, with a reasonable Allowance for Charges; to the Poor upon small Pledges; and to Persons of better Rank, as Traders, &c. (who, upon particular Emergencies might be streighted for Money) upon an answerable Security of Goods. Their Capital was at first limited to 30,000*l.* afterwards the Crown gave Licence to them to increase the same to 100,000*l.* and again, in the Reign of his present Majesty, they received Licence for a Capital of 600,000*l.* This Charter being granted to the Corporation, they made Application to have the same confirmed by Act of Parliament in the last Session; and a Bill for that Purpose passed the House of Commons; but there was such vigorous Opposition made to it, that it was dropt in the House of Lords. However, upon the Support of the Royal Charter, the Corporation went on; till, on a sudden, about the Beginning of *October* last, two of the chief Officers disappear'd on the same Day, namely,



namely, *George Robinson*, Esq; their Cashire, and *John Thompson*, the Warehouse-keeper. This gave the Proprietors a very great Alarm; and the State of the Corporation's Affairs, that afterwards appear'd, gave them but too much Reason for it. Three General Courts were held *October 19*, *Nov. 18*, and *Dec. 21*, in which a Committee was appointed from among the chief Proprietors, to inspect the State of their Affairs. The Report brought in by the Committee disclos'd a very calamitous Scene to the Persons concern'd; it being found, that for a Capital of above 500,000 *l.* no Equivalent was found to the Value of 30,000 *l.* the Remainder having been disposed of by Ways that no one was able to give Account of. The Particulars of this surprizing Affair are found in the following Report made by the Committee to the General Court.

*The REPORT of the Gentlemen appointed by the General Courts of the CHARITABLE CORPORATION, (the 19th of October, 18th of November, and 21st of December last) to inspect the State of their Affairs, &c. By Dr. MOWBRAY, Chairman, to the General Court of the 12th of January 1731-2.*

*Gentlemen,*

IT may be supposed, that your Inspectors must, by this Time, be furnish'd with sufficient Materials, to lay before you a true State of your Affairs, of the Frauds of some, and the Negligence of others, whereby your Capital has been embezzil'd; and of the Steps which they have taken, in order to prevent the like Abuses for the future, and to do the Proprietors and Creditors of this Corporation, all the Justice which their present unhappy Situation will permit.

If we should not fully answer all your Expectations upon these Heads, it must be attributed to the Confusion in which we found your whole Affairs; to the Want of proper Lights and Assistance from those, who alone were able to furnish them; to the many Disputes we have been engaged in; and to the frequent Calls of General Courts, calculated for the carrying of Questions, that, we apprehend, were contrary to the Welfare of the Corporation; and in which, had your Enemies succeeded, they might have thrown a Veil over the blackest Scene of Iniquity, that has perhaps appear'd in any Age or Country.

As

- The Purse-Bearer  
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As



As to the true State of your Affairs at present, it cannot be laid before you more properly, than by the Company's General Account, as we find it stated to Michaelmas last; which is now given in to the General Court.

[Here the Account was read, and is as follows, viz.]

CHARITABLE CORPORATION, Dr.

	l.	s.	d.
1731.			
Sept. 30. To Fund paid in by the Proprietors	353,817	10	0
To Notes standing out	104,002	10	0
To Interest on ditto	5,653	10	4
To Bonds issued	35,900	00	0
To Interest on ditto	214	11	7
To Dividends yet unpaid	992	18	6
To Surplusses on Sales yet unpaid	1292	02	5½
To Mr. Oaker	338	11	5
To Thomas Jones	182	06	9½
To Ballance	11,976	13	5½
	514,370	14	6½

Dividend at 3 s. per Share on 70763 ½ Shares, is	10614	10	06
This Dividend taken from the above Ballance, there ought to remain in the Cashier's Hands, a Surplus of	1362	02	11½
	11976	13	05½

Oct. 9. To Bonds issued to Geo. Robinson, for	4000	00	00
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Which, added to the above Charge, makes it in all amount to the Sum of	518,370	14	06½
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PER

## PER CONTRA Cr.

1731.		l.	s.	d.
Sept. 30.	By an Old Debt paid ———	5,000	00	0
	By Cash ———	44,534	06	9 $\frac{1}{4}$
	By Borrowers ———	397,780	01	8 $\frac{1}{4}$
	By Interest and Charges due } on Pledges ———	44,730	13	6
	By John Thomson ———	3,487	19	5
	By William Higgs ———	25	00	0
	By the House in Spring-Gar- } den (about) ———	18,539	12	4 $\frac{1}{4}$
	By Profit on Transfers ———	273	00	9
		514,370	14	6 $\frac{1}{4}$

Sign'd, in Pursuance of a Minute  
of November 10, 1731, (Errors  
excepted) by

JOHN VENABLES, Accomptant.

Off. 9.	By Geo. Robinson, for Bonds, } besides the above Cash ———	4000	00	0
		518,370	14	6 $\frac{1}{4}$

N. B. The above Article of 44,534 l. 6 s. 9 d.  $\frac{1}{4}$  Cash,  
is all, to a Trifle, in the Hands of George Robinson,  
the Bankrupt, besides the above Bonds.

The Account standing thus, we beg Leave to make our  
Observations.

The Principal Money here charged, as lent on Pledges,  
is 397,780 l. 1 s. 8  $\frac{1}{4}$  d. and the Interest due thereupon is  
said to be 44,730 l. 13 s. 6 d. yet upon Inspecting the  
Vouchers in your Cashier's Office on Laurence-Pountney  
Hill, we do not find Certificates and Receipts for above  
159,276 l. 11 s. and a great Number of these Receipts,  
dated in or about April last, amounting to no less than  
44,874 l. 10 s. were never sign'd by the Borrowers. It  
farther appears by your Ledgers, that a Sum of 5528 l.  
15 s. 3  $\frac{1}{4}$  d. actually lent, has been repaid by the Bor-  
rowers.

rowers. This therefore, with the said 44,874*l.* 10*s.* being deducted from 159,276*l.* 11*s.* reduces the Number of Certificates sign'd by the Warehouse-keeper, to the Amount of 108,873*l.* 5*s.* 8  $\frac{1}{4}$ *d.*

And even these we have Reason to believe are many of them fictitious, since there are no Goods found to answer them; and the real Pledges in the said Office, for which there are Pledge-Numbers, as appears at present by comparing the Books with the Inventory, amount only to the principal Sum of 11,747*l.* 18*s.* exclusive of a Pledge of Tobacco, and some others of Wines, lodg'd in Out-Warehouses, amounting to about as much more. We must farther observe to you, that in the Pledge-Ledger, the Loans are 5069*l.* 11*s.* 5  $\frac{1}{2}$ *d.* less, than what they are stated to you in this Account.\* This, we apprehend, must have been done with Design to support the Dividend declared at Michaelmas last, and thereby keep up the Price of Shares, 'till the Accomplices in these Transactions should have sold out their Properties.

The next considerable Article in your Account, is that of 145,770*l.* 11*s.* 11*d.* for Notes and Bonds, and Interest due upon them, besides 4000*l.* more in Bonds, advanced to George Robinson the 9th of October. And here we beg Leave to lay before you one of those pernicious Practices, that has greatly contributed towards the Ruin of the Corporation; and that is, *the issuing of new Notes upon the Renewal of old Pledges.* In this the Fraud has been but too evident; for when the old Notes became due, which the Cashier was not able to discharge, the fictitious Pledgers, and perhaps some real ones, went to his Office, and paid off what was due for Interest and Charges †, at the same Time renew-  
ing

\* *The Clerks happen to be mistaken in these last Figures. But however, the Inference is both supported and justify'd by several other Facts, viz. First, by the making out of one Account last Michaelmas, which not answering their Ends, another, still more spurious, was made out, and laid before the General Court, to correspond with the Dividend then declar'd, at least to amuse the Proprietors.*

† *The same Day that Woolley, Warren, and others, have renew'd Pledges, that appear to be fictitious, they have made another Pledge of the same Nature, for as much Money as paid off the Interest and Charges due on such Pledges as they had a Mind to renew. This seems to have been a common Practice.*



ing their respective Pledges ; whereupon new Certificates were made out, and new Notes issued to the same Value as the former, though the old Notes had not yet been call'd in or paid off. So that by this Means there was scarce any Pledge of a considerable Value, for which there were not two Notes given out. Whereas, if this Artifice had not prevented it, the old Notes must have appeared at the Office for Payment, when such of your Directors, as were free from Guilt, would have been naturally led to have ordered the respective Pledges to be sold ; which, when found wanting, would instantly have detected the Cheat. This leads us to remark to you, that whatsoever Right your Managers had to coin Notes, can certainly no way justify their doing it in this collusive Manner ; but as to their Practice of *issuing out Bonds*, we are at a Loss to know, from whence they pretend to derive their Authority ; since they are neither impowered by the Words of the Charter, nor by any Resolution of the General Court.

There is but one Charge more in the Account, which we shall at present take Notice of, and that is, 3487 l. 19 s. 5 d. said to be in *Thompson's Hands*, on Account of Sales. Now since there have been no Sales for near two Years past, we cannot see under what Pretence this Money could be lodg'd with him, unless by the mere Good Will of the Managers, since he was not the Cashier, nor the proper Officer for this Purpose \*.

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\* *This is but a trifling Instance of their Indulgence to him ; for, on Examination, we find, they have allow'd this Money to lie in his Hands these four Years past ; besides another Sum of about 6000 l. the Produce of the two last Sales, July 1730 ; of which, however, no Mention is made in this Account ; but, on the contrary, stands falsely charg'd on the Borrowers, as bearing Interest ; whereas, being in Thompson's Hands, no Interest could be expected. Again, moreover it appears by the Pledge-Leidgers, that Thompson has actually borrow'd in his own Name, upon several pretended Pledges, the Sum of 9149 l. 10 s. by which Means it is manifest, that he has avowedly, as if it were by Authority, robbed the Corporation, in Principal and Interest, of above double the Sum, call'd the Ballance of this General Account ; besides all the clandestine Transactions he and his Accomplices have carried on, of which*

no.

We must next inform you of the Frauds and Mismanagement of those who have been intrusted with the Conduct of your Affairs, which indeed appear to us in every Step.

Your Cash-Books do not seem for some Years, if ever, to have been duly examined or compared with the Vouchers; which, in common Justice, ought to have been done at least as often as any Dividends were to be declared; since otherwise such Dividends must be made without any real Foundation. By this unpardonable Neglect, Room was left for all sorts of Villany; Figures might be alter'd; Figures might be added; and we have discovered Entries actually made of considerable Sums as lent, for which no Pledges were ever deposited; for when, pursuant to the Dates of such Entries, we have demanded Certificates and Receipts as Vouchers, either none at all, or very insufficient (not sign'd) ones have been produced.

Your Pledge-Journals are in the same Condition; for besides that, none of those, which after the most diligent Search have come to our Hands, are later than the Year 1729, so these contain an Account of vast Sums lent, for which no Pledges are specified.

Some Persons, who appear in your Books to be very large Borrowers, have declared they are wholly ignorant of any Money received, or Pledges deposited by them; but acknowledge that they have at *Thompson's* Request, sign'd many Bills of Sale, Defeazances, and Receipts on the Backs of Certificates, without knowing of any Pledges, or receiving any Money to answer such Vouchers. Your very Warehouse-keeper *John Thompson* (the Bankrupt) has been one of your great Borrowers, and has pretended to pledge and borrow in his own Name, and at the same Time to certify for himself; which was, it seems, permitted him, and allowed by the Directors to the Cashier in passing his Accompts. *Thomas Hodgson*, a Servant of *George Robinson* (the Bankrupt) is charged as borrowing no less than 22000 l. in one Day. *Nathaniel Lovell*, a menial Servant of the Corporation, is entred as a Borrower of no less than 2500 l. another Day. In a Word, *Woolley* and *Warren*,  
Francis

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no Vestige can be traced. Hence, the World may judge, what Grounds these Gentlemen had for declaring a Dividend last Michaelmas, and what Motives they had for so doing.

Francis Thompson, John Thompson, Thomas Thompson, George Robinson, Thomas Hodgson, Thomas Leafe, Nathaniel Lovell, David Avery, Thomas Jones, James Graham, and George Crookshanks, one half of them Persons belonging to the Corporation, and most of the rest wholly unknown, are the Borrowers of no less, in Principal and Interest, than 364,489 l. 5 s. 6 d. We cannot therefore question but your Loss, upon fictitious Pledges, must be extremely great; not to be recompenced in any Degree by the Effects we find in the Warehouse, for which there are no Certificates. For, such has been the Irregularity of your Officers, that as there are many Certificates without Pledges, so there are some Pledges without Certificates.

In the late Warehouse-keeper (*Thompson's*) Office, we found a Cheque-Book, with blank Bills of Sale, Discharges, and Receipts, sign'd by *Francis Thompson*, a Servant to Messieurs *Woolley* and *Warren*, some in his own, and some in the Name of his Masters; by the filling up of these, and the making out of false Certificates, it was continually in the Warehouse-keeper's Power to draw from your Cashier what Sums he pleased. And doubtless, this has been one of the principal Methods, whereby your Capital has been embezzled.

Nor have these pernicious Practices been only carried on of late: No, they seem to have been the Work of some Years; since, notwithstanding the Pretence of great Dealings, yet have *Faikney* and *Leafe*, two of *Thompson's* Clerks, sworn, that during the three Years they served in his Office, they never saw or heard of any considerable Pledge made, or lodged in any Out-Warehouse, upon the Corporation Account, except one Parcel of Tobacco, still remaining. It is surprizing, considering the vast Sums lent, this should be almost the only Out-Warehouse belonging to the Corporation. And since your Managers have no where found charged in their Accounts any Sums for Rent of Warehouses, one might have reasonably imagined, that this alone ought to have led them to the Detection of the Frauds, which their Officers were committing; since they might be well assured, that Pledges to the Value of 397,780 l. 5 s. 8 d.  $\frac{1}{4}$  would require no small Warehouse-room to be lodged in.

Your Officers could not, indeed, have run any great Lengths towards your Ruin, had not the Directors (some through Ignorance, or supine Negligence, others perhaps



perhaps from worse Motives) contributed to it, by leaving every Thing at their own Discretion. Had they, as they ought to have done, in common Justice to the Proprietors, and in Discharge of the Trust they had accepted, either from Time to Time inspected your Books, or examined your Warehouses; nay, had they not most unwarrantably taken away those prudent Checques upon your Officers, which, upon the first Outset of the Company, in the Year 1726, were wisely instituted, these palpable Frauds and Abuses could not have been committed.

Of these we shall lay before you some remarkable Instances. The 31<sup>st</sup> of March 1726, your Committee appointed, that the Cashier, every *Tuesday*, should give in a weekly Account of all the Cash received and issued, and produce the Ballance then in his Hands: This was declar'd a Standing Order; yet was never duly observ'd. On the 6<sup>th</sup> of May 1726, a Surveyor was appointed to inspect the Warehouses, and give in a weekly Report to the Committee of all the Pledges there, with his Observations upon them: In the *September* following this necessary Officer was laid aside. As a further Controul upon the Warehouse-keeper, the Cashier first, and then the Accomptant, kept a distinct Key from him of the Warehouses; but by an Order of the 13<sup>th</sup> of May 1726, upon *Thompson's* own Motion, these Keys were taken away from the Accomptant, and it was directed, that they should be left with *Lowell* the Messenger. Yet even this Shadow of a Checque was never put in Execution, but all the Keys remained in *Thompson's* own Hands, 'till the Day of his Departure. By an Order of *June* the 28<sup>th</sup>, 1726, the Accomptant was requir'd to lay before the Committee, every Week, an Account of all Pledges that became forfeited: This too was never complied withal. The 29<sup>th</sup> of *July* 1726, it was ordered, that the Accomptant or Cashier should give in a weekly Account to the Register, of all Notes issued on Pledges, with their Numbers, Sums, and Dates; so that here was a proper Officer appointed for registering Notes, yet do we not find that, in Reality, there ever was such an Officer, or such an Account given in, as is here prescribed. On the 11<sup>th</sup> of *April*, 1727, it was appointed, that an Account of all Pledges made to the Corporation, should be entred in a Book, to be laid upon the Table, as often as the Committee of Accompts, or the Gentlemen of the Day, who attended

tended in the House, should meet ; and that the Dates of the Times, when each Pledge was taken in, and the Place where it was deposited, as also of the Redemption or Renewal of the same, should be set forth in that Account. This important Order was no more regarded than the foregoing. And the same Fate attended another Resolution of the 26th of September 1727, whereby it was strictly enjoined, that every Certificate should specify, where every respective Pledge was lodged.

Had these just, these necessary Checques been observed, had not some of them (by express Order) been taken away, and all of them rendered ineffectual, by a Neglect so gross, as carries in it the strongest Suspicion of something worse, your Affairs could never have been reduced to the unhappy Situation they are now in.

But lest this Report should swell to a Bulk too large, we beg Leave to add only in general, that we have made many more Observations upon the Methods, whereby these Frauds have been carried on ; and that we are Masters of many other Facts by which we can not only support what has been here advanced, but also much more, in proper Time and Place.

After having thus laid before you the Conduct of others, it may be necessary to give you some Account of our own. For, though Enquiries of the Nature of those, which we have already given you a Detail of, are both very tedious and expensive, yet we have not bestow'd all our Time on them ; No, we have likewise attended to other Matters as necessary to the Welfare of the Corporation. We have advised and assisted in making Inventories, before a Notary Publick, of all the Pledges or Effects found within or without Doors, as well as of all the Books and Papers in the respective Offices, examining and comparing them with each other, as far as our Time would permit, and then securing them from further Imbezzlement. We have attended ourselves, and appointed such Clerks and Officers as we could confide in, to attend with us upon the Commissioners of Bankrupt, and other necessary Services of the Corporation. We have used our best Endeavours to secure all Effects belonging to the Bankrupts, *Robinson* and *Thompson*, and for that Purpose have advised the sending down a Commission to examine the Relations of the latter in *Scotland* : We have also taken other proper Measures to discover and seize his Effects in foreign Parts. We have constantly attended at the Office in  
chequing

chequing of Notes, in order to distinguish those which have been fraudulently issued or negotiated, from those for which a valuable Consideration has been paid; the Knowledge of which, we hope, will considerably lessen the Debts of the Corporation. We have examin'd the Security Bonds of all such Officers as we have Reason to believe have been guilty of a Breach of their Trust, and have advised that they may be immediately sued. We have taken particular Care that your Effects still remaining should be preserv'd and apprais'd by intelligent Persons in order for a Sale. We have attended daily at the Board, according to your Appointment, in order to give the Directors our Advice and Assistance upon all Emergencies, This has been the Work of our Mornings, whilst our Evenings have been employ'd for some Time, in attending the Commissioners of Bankrupt against *Thompson* and *Robinson*, often, even till Midnight; and in consulting the properest Measures that might be taken for the Benefit of the Corporation. Upon this Head we shall only further take Notice, That, besides our Loss of Time (almost to a total Neglect of private Affairs) we have defrayed our own Charges, and carried on all these Affairs, excepting what relates to the Commissions of Bankrupt, at our own Expence.

We farther beg Leave to acquaint you with some Particulars relating to *Mr. Robinson's*, your late Banker's, Behaviour. Your Inspectors were always of Opinion, that the superseding the Statute of Bankrupt against him was the most effectual Method of stifling any Discoveries he might have made: Yet, when he voluntarily came in, they desir'd the Commissioners to suspend all Proceedings against him, and defer the Appointment of Assignees till the 17th of *December*; by which Time he had undertaken to give in his Accompts, to submit freely to be examin'd upon Oath before the Commissioners, and to give all such further Satisfaction to your Committee, as could be expected from him. On the other Hand, we gave him the strongest Assurances, that, if this was done fairly, he should meet with the utmost Indulgence, and his Affairs should be made easy to him, in Proportion to the Benefit the Corporation might reap from his Discoveries. But, upon the Day fix'd for receiving his Accompts and Proposals, instead of attending either on the Committee, or on the Commissioners of Bankrupt, *Mr. Goofry* (his Attorney) inform'd them, that *Mr. Robinson* had thought



thought fit once more to absent himself from the Kingdom. From whence it may be easily conjectured, how great a Prejudice the Company must have received, by superseding the Statute taken out against him.

In fine, we must assure you, that as nothing in our Power has been neglected, which might be for your Interest and Advantage; so we are extremely sorry to tell you, that, in the bad Circumstances to which your Affairs are brought, you can expect no Relief, no Redress for your past Wrongs, no Security for your remaining Properties, but by a steady and unanimous Pursuit of those, who have so manifestly abused your Confidence.

N. B. No Notice is taken of the rest of the Account, nor of the House in *Spring-Garden*, at this Time.

In Pursuance of this Report, the Corporation agreed to petition the House of Commons for Redress, which was accordingly done on the third of *February*. The Petition was favourably receiv'd, and a Committee appointed to enquire into the State of the Corporation. Upon hearing the Report made by the Committee, Sir *Robert Sutton* and Sir *Archibald Grant*, Members of the House, were expell'd; and a Bill was brought into the House of Commons, which afterwards passed into an Act, to restrain Sir *Robert Sutton*, Sir *Archibald Grant*, *Dennis Bond*, and *William Burroughs*, Esqrs. Mr. *George Jackson*, Mr. *Benjamin Robinson*, *Richard Woolley*, and *Thomas Warren* (who had been found Delinquent in this Affair by Resolutions of the House) from going out of the Kingdom, or alienating their Effects; and to oblige *William Squire* (who was withdrawn) to surrender himself.

While this Bill was going through the House of Commons, on the 10th of May, a Letter was deliver'd to them, written by Signor *John Angelo Belloni*, an eminent Banker at *Rome*, and directed to the Committee appointed to consider the Petition of the Charitable Corporation, or in their Absence to Sir *Robert Sutton*, Sir *John Shadwell*, *Walter Moleworth*, Esq; Dr. *John Mowbray*, or any one of them; which Gentlemen were very deeply interested in the Affairs of that Corporation; giving an Account that *John Thompson* was arrested at *Rome*, and Books and Papers of his were seized, and himself confined in the Castle *St. Angelo* there. Upon this, that Committee which had left Sitting some Time before,

before, was revived, and the Letter communicated to them; but was brought again by them before the House, as being thought by the Committee of too dark and dangerous a Nature for them to give their Opinion about it. Upon this, the Letter being translated by a Committee of their own Members, the whole House took it into Consideration; but it being there looked on as an Artifice of the Enemies to the Government, calculated to insinuate a favourable Opinion of the Pretender's Party, under a Pretext of great Zeal for Justice and Affection for the *English* Nation, the same was rejected with great Indignation; and the two Houses concurred in an Order that the same should be publickly burnt by the Hands of the common Hangman on the 26th of that Instant, at the *Royal-Exchange*, which was accordingly done.

The Letter it self is here inserted in *French*, the Language it was written in, with a very literal Translation publish'd in the Paper call'd, *The Free Briton*; to which we shall add *Thompson's* Proposals therein mentioned, with the Resolution of the House of Commons upon the whole.

### The Original Letter.

A Rome le 4<sup>me</sup> May, } 1732.  
23<sup>me</sup> Avril, }

Messieurs,

**C'**EST avec beaucoup de plaisir que je profite d'une occasion, qui s'est presentee pour montrer mon estime, & mon affection pour la Nation Angloise, en contribuant a l'avantage de plusieurs Particuliers de ce Royaume, & par consequent a la Satisfaction du Parlement, & de la Nation meme.

Comme les Fraudes, qui ont ete commises dans l'Administration de la Compagnie Charitable, ont fait beaucoup de bruit par tout, on a ete icy vivement touché des maux dont elles ont ete la Cause, & on a senti l'Interêt que la Nation avoit d'y remedier, ce qui ne pouvoit etre effectué qu'en se saisissant de la Personne, des Papiers, des Livres, et des Effects du Sieur Thompson, a quoy le Parlement n'avoit pas encore pû parvenir. A cet effet comme on avoit eu avis, que le dit Thompson pourroit venir a Rome sous un Nom emprunté, on a pris les mesures necessaires pour l'arrestier quand il y seroit arrivé, ce qui a ete executé. On s'est saisi en meme temps de ses Papiers, des Lettres qu'il a reçu d'Angleterre depuis qu'il en etoit parti, des Copies de Lettres

lettres qu'il a écrites a ses Confidens, et des Notes de ses Affaires les plus secrètes. Il est a present luy meme dans le Chateau St. Ange, de cette facon dans une espece de Necessité de decouvrir tout le mystere de cette affaire, ce qu'il a fait amplement en decouvrant non seulement les Livres & les effets de la Compagnie, mais aussi les siens propres. Cela tant fait on m'a chargé de communiquer cette importante decouverte a qui & ou il conviendrait pour le bien & l'avantage de la Nation. C'est pour quoy je depeché, sans delay un Courier a un de mes Correspondents a Paris avec tous les Papiers qui ont rapport a cette affaire, a fin qu'il trouve les moyens de vous les faire remettre. Mais comme l'équité exige que les Propriétaires de la Compagnie charitable (qui tireront un si grand avantage de cette decouverte) se pretent a de certaines conditions avant que les Papiers, & les Ecrits vous soient remis, j'ay ordonné a mon Correspondent d'insister que ces conditions soient préalablement accordées, & de regarder en attendant ces Ecrits comme un simple Depot entre ses mains, sans les en laisser sortir jusques a ce que cela soit fait, & je ne doute point que cette precaution, aussi bien que les conditions, ne paroissent justes & raisonnables a tous ceux qui sont interessez dans cette affaire.

Metant ainsi acquitté de ma Commission il ne me reste que de vous prier d'etre persuade de mon respect pour la Nation & de l'envie que j'auray toujours de contribuer a son avantage. J'ay l'Honneur d'etre

Messieurs,  
 Votre tres humble, & tres  
 Obeissant Serviteur  
 JEAN ANGE BELLONI.

Addressed

A Messieurs du Committe du Parlement d'Angleterre etabli sur les affaires de la Corporation Charitable, ou si le dit Committe ne subsiste plus, a Messieurs le Chevalier Robert Sutton, le Chevalier Jean Shadwell, Walter Molefworth, Docteur Jean Mowbray, ou a quelqu'un d'eux.

A Londres.

### The Translation.

Rome, the 4th of May, } 1732.  
 23d of April, }

Gentlemen,

IT is with much Pleasure, that I embrace an Opportunity, which hath presented itself, to shew my Zeal and my Affection for the English Nation, in contributing



tributing to the Advantage of many Persons of the said Kingdom, and consequently to the Satisfaction of the Parliament, and of the Nation itself.

As the Frauds, which have been committed in the Management of the Charitable Corporation, have made much Noise every where, *we have here been touched in a lively Manner with the Evils which they have occasioned; and we are sensible of the Interest that the Nation hath in their Remedy, which could not be effected but by seizing of the Person, the Papers, the Books and Effects of the *Sieur Thompson*, to which the Parliament had not as yet been able to attain.*

To this Purpose, as *We* had received Advice, that the said *Thompson* might come to *Rome*, under a borrowed Name, *we have taken the necessary Measures to arrest him when he should arrive, which hath been executed. We have seized at the same Time his Papers, the Letters which he hath received from England since his Departure from thence, the Copies of Letters which he hath written to his Correspondents, and the Memorandums of his most secret Affairs. He himself is at present in the Castle of St. Angelo, and by this Means is at present under a Kind of Necessity to discover the whole Mystery of this Affair, which he hath amply done by discovering, not only the Corporation's Books and Effects, but also his own.*

This having been done, *I have it in Charge to communicate this important Discovery to whom, and where it may be proper for the Good and Advantage of the Nation. 'Tis on this Account that I dispatch a Courier to one of my Correspondents at Paris, with all the Papers which have Relation to this Affair, to the End, that he may find the Means of putting them into your Hands. But as Equity demands, that the Proprietors of the Charitable Corporation (who will reap so great an Advantage from this Discovery) should yield to certain Conditions, before that the Papers and Writings be delivered to you, I have ordered my Correspondent to insist, that these Conditions be previously agreed to: And in the mean Time to look upon these Writings merely as a Pledge in his Hands, without suffering them to pass from him until this be done. And I doubt not, that this Precaution, as well as the Conditions, does appear just and reasonable to all who are interested in this Affair.*

Having thus acquitted myself of my Commission, nothing remains for me but to intreat you to be persuaded of

my Respect for the Nation, and the Ambition which I shall always have to contribute to its Advantage.

I have the Honour to be, Gentlemen,

Your most Humble,

And most Obedient Servant,

John Angelo Belloni.

### Thompson's Proposals.

**Memorand.** which I humbly beg may be stipulated, and made the Conditions for delivering up the Books and Papers.

1. That my Sureties may have their Bonds up, in all or Five Thousand Pounds.

2. That *Lancelot Ord*, Esq; who sold me a small Estate, the Value of One Thousand Three Hundred Pounds, (after paying a Mortgage upon it) in Consideration of an Annuity I was to pay him for Life, be allowed to take quiet Possession of that Estate again.

3. My Father having taken a Bond in my Name from Mr. *Blackwood*, though the Money was his own, I desire, upon his Proof of that, that he may be allowed to receive it upon a Power of Attorney I sent him for that Purpose, and that they will not put him to Trouble, because it happens to be in my Name.

[N. This Bond is for Ten thousand Pounds.]

4. There is somewhere a Bond of my Brother *Samuel's*. I desire it may be deliver'd up, because he is not in a Capacity to pay it.

5. I desire, that those that have had my Books and Papers in keeping, may have *no Trouble* upon their surrendering them, in case in the Act that passes, any Penalty is annexed to that.

6. I desire I may be enabled to pay about Two Thousand Seven Hundred Pounds, private Debts I owe to a Number of People.

7. What is proper for myself, I submit it; and I only observe, that I have at present discovered of my own private Effects, which will appear upon casting up the Accounts, the Sum of 26,000 *l.* and my Books and Papers will discover a much larger Sum.

J. Thompson.

N. B. It is proper to be observed in this Place, that of the 26000 *l.* which he offers to surrender, 22,000 *l.* are already in the Hands of the Corporation.

*The Resolution of the House of Commons.*Resolved, *Nemine Contradicente.*

That the Paper dated at *Rome*, the 4th of May, 1732, N. S. signed *John Angelo Belloni*, directed to the Gentlemen of the Committee of the Parliament of *England*, appointed to inspect the Affairs of the Charitable Corporation; and, if the said Committee did not subscibe, to *Sir Robert Sutton*, *Sir John Shadwell*, *Walter Moleworth*, *Dr. John Mowbray*, or some one of them at *London*, is an insolent and audacious Libel, attempting, by false and insidious Insinuations, to impose upon the Parliament and *British Nation*, and by specious Pretences and Professions of Esteem, Affection and Compassion, to amuse the unhappy Sufferers of the Charitable Corporation with vain and deceitful Hopes of Relief; that the said Paper is in itself absurd and contradictory, conceived at the Beginning, in Terms, and in the Style of Power and Authority, or as proceeding from some extraordinary Interest and Influence, but concluding in the Person and Character of a private Banker of *Rome*; offering, upon certain Conditions on the Behalf of *John Thompson*, to deliver certain Books and Papers of the said *Thompson*; the Contents, Value and Consequence of which are unknown, without any Offer to surrender the Person of the said *Thompson*, although represented to have been arrested and detained in safe Custody, from a Sense of the Frauds committed by him, and a due Regard to Justice; the Conditions demanded and insisted upon, by, and in Behalf of the said *Thompson*, appearing at the same Time to be loose, evasive and uncertain, tending to procure Advantages and Indemnity to himself and his Accomplices, without any Intention or Prospect of Benefit to the Corporation; and that this whole Transaction appears to be a scandalous Artifice, calculated purely to delude the Unhappy, and to disguise and conceal the wicked Practices of the professed Enemies to his Majesty's Person, Crown and Dignity.

The Report of the Committee not being yet published, we are oblig'd to put off the farther Prosecution of this Affair 'till the next Register.



*The LORDS Protests in the last Session of*  
PARLIAMENT.*On the BILL for punishing Mutiny and Desertion.**Die Martis, 7 die Martij, 1731.*

**T**HE Order of the Day being read for the House to be put into a Committee of the whole House, upon the Bill, entitled, *An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters,*

Proposed, That it be an Instruction to the said Committee, that the Number of Men specified in the said Bill do not exceed Twelve Thousand.

After long Debate,

The Question was put, Whether such an Instruction should be given to the said Committee?

It was resolv'd in the Negative.

Content 27.

Not Content 88.

*Dissentient*

1. Because so great a Number of Troops as is specified in this Bill was never before allow'd by Parliament in Time of settled Peace, and no Reason was given in Opposition to the Instruction, but what, we conceive, must equally hold good in all future Times: For when can we hope to see a Session of Parliament opened with more satisfactory Declarations, and stronger Assurances of Happiness and Security, than those contained in His Majesty's Most Gracious Speech from the Throne, on the First Day of this Session. His Majesty is therein pleased to declare, that his Expectations are fully answered; that the general Tranquillity of *Europe* is restored and established; that the tedious Work is perfected and finished; that the Wounds, which have been long bleeding, are entirely healed; that the national Expence will be considerably lessen'd, and that the Nation shall reap the Fruits of his Endeavours. In such a Situation of Affairs, we conceive, that we could not act consistently with his Majesty's gracious Disposition to his People, agreeably to the Honour of this House, nor with that Regard we must always have for the Liberties of our Fellow-Subjects, without endeavouring to reduce the Number of Troops specified in the Bill.

2. Because

2. Because the settled State of Affairs at home, and the great Duty and Affection his Majesty's Subjects have shewn to him upon all Occasions, should, in our Opinion, be a full Answer to all Arguments that can be drawn to justify the keeping up so great a Number of Troops, from any Apprehensions of a Pretender to the Throne. For, if the present Circumstances of this Nation be compared with the Situation of Affairs after the Treaty of *Ryswick*, or that of *Utrecht*, these Kingdoms will be found infinitely more secure in that Particular. In the first Period of Time, the late King *James* was living, who had an *Irish* Army in his Pay in *France*; many of his old Servants and Soldiers were then alive, and active in *England* and *Scotland*; a potent Prince and Nation always supporting him, and ready, at any Time, to arm in his Cause. As to the second Period of Time, the Pretender was in the Neighbourhood of *France*, That *French* King who had maintain'd him and his Family, was still living, and the Protestant Succession had not then taken Place; yet, in both these Points of Time, half the Number of Troops allow'd by the present Bill was not only thought, by Parliament, but, by Experience, found sufficient for our Security: How little Foundation then does there seem to be for continuing such a Number of Forces at this Juncture, when the Pretender has been long remov'd beyond the *Alps*, and a Prince on the Throne of *France*, who seems more intent to make his own Dominions flourish by Trade, than, out of a restless Ambition, to disturb his Neighbours?

Sufficient Reasons may be drawn from the present Disposition of Affairs, in that Kingdom, as well as those of *Spain*, to increase our Naval Force; but none, in our Opinion, for maintaining such an Army at Land. The present Royal Family is now (God be praised) firmly seated on the Throne, and nothing can shake it but an Administration which shall venture to depart from the Principles on which the Act of Settlement was founded. That Settlement was founded on Liberty, and, by the Nature of Things, must be coeval with Liberty.

3. Because it has hitherto been thought the Happiness of our Situation, as an Island, that we have not had the same Occasion for a Number of Troops to defend us, as those on the Continent. To prevent the Inroads of their Neighbours, they have been obliged to

keep

keep up Standing Armies, which have generally been the Cause of the Loss of their Liberties, and always proved the sure Means of fixing their Chains upon them.

4. Because we are fully convinced, that his Majesty will reign the more firmly in the Hearts of all his People, the more he places his Confidence in them; and we conceive it to be an Indignity to him, to suggest, that he cannot now be secure on the Throne, without the Assistance of a greater standing Force, than even his Royal Father was contented with, in the Time of less Tranquillity. Altho' it seem'd to be the Tendency of some Arguments used against the Question, yet we can never be brought to believe that this Nation is in Danger of being over-run by any foreign Force. Our Apprehensions are, that it can only be ruined and enslaved by a Standing Army at home; and we are justly jealous, from Experience of former Times, that the Crown it self, as well as the Liberties of the People, may be found, at length, to be at their Disposal.

Lastly, We refer to the four first Reasons enter'd on our Journals February 24, 1717, signed by many Lords of this House

Boyle	Litchfield	Carteret
Shaftsbury	Exeter	Bathurst
Foley	Craven	Gower
Suffolk	Tadcaster	Twinedale
Bristol	Northampton	Strafford
Maynard	Bridgwater	Winchelsea and
Aylesford	Scarsdale	Nottingham.
Thanet	Coventry	

*The Four Reasons of the 24th of February, 1717, above  
referr'd to.*

1. **B**ecause the Number of Sixteen Thousand Three Hundred Forty Seven Men is declar'd necessary by this Bill. But it is not therein declar'd, nor are we able, any way, to satisfy ourselves, from whence that Necessity should arise, the Kingdom being now (God be prais'd!) in full Peace, without any just Apprehension either of Insurrections at home, or Invasions from abroad.

2. Because so numerous a Force is near double to what hath ever been allow'd within this Kingdom, by Authority of Parliament, in Times of publick Tran-

quillity;



quillity ; and being, as we conceive, no ways necessary to support, may (we fear) endanger our Constitution, which hath never yet been entirely subverted, but by a Standing Army.

3. Because the Charge of keeping up so great a Force ought not unnecessarily to be laid on the Nation, already overburthen'd with heavy Debts ; and this Charge we conceive to be still more unnecessarily increas'd, by the great Number of Officers now kept on the Establishment, in Time of Peace ; a Number far greater (in Proportion to that of the Soldiery commanded by them) than hath ever yet been thought requisite in Times of actual War.

4. Because such a Number of Soldiers, dispers'd in Quarters throughout the Kingdom, may occasion great Hardships, and become very grievous to the People, and thereby cause, or increase, their Disaffection, and will probably ruin many of his Majesty's good Subjects, on whom they shall be quarter'd, and who have been already, by that Means, greatly impoverish'd.

<i>W. Ebor.</i>	<i>Greenwich</i>	<i>Litchfield</i>	<i>Bathurst</i>
<i>Northampton.</i>	<i>Compton</i>	<i>Harcourt</i>	<i>P. Hereford</i>
<i>Strafford</i>	<i>Poulet</i>	<i>North &amp; Grey</i>	<i>Fr. Roffen</i>
<i>Scarsdale</i>	<i>Boyle</i>	<i>Foley</i>	<i>Weston</i>
<i>Fr. Cestriens.</i>	<i>Tadcaster</i>	<i>Ilay</i>	<i>Trevor</i>
<i>Bristol</i>	<i>Bute</i>	<i>Mansel</i>	<i>Oxford</i>
<i>Gower</i>	<i>Guilford</i>	<i>Dartmouth</i>	<i>Abingdon.</i>

*On the BILL for reviving the Duties on Salt, for the Term therein mention'd.*

*Die Mercurii, 29<sup>o</sup> die Martii, 1723.*

**T**HE Order of the Day being read, for the House to be put into a Committee, upon the Bill entitled, *An Act for reviving the Duties on Salt for the Term therein mention'd :*

Moved, That it be an Instruction to the said Committee, that they do receive a Clause to exempt all Salt used for manuring of Land from the Duties laid by this Bill.

After Debate,

The Question was put thereupon,  
It was resolv'd in the Negative.

*Dissentient*

*Dissentient*

Because it has been found, by Experience, during the Time the Duties upon Salt were taken off, that great Improvements have been made, in several Parts of the Kingdom, by using Salt in manuring of Land; but, by the Revival of those Duties, without the Provision designed by the Instruction, there must be a total Stop put to all Improvements of that Nature; and we are convinced, that, within a few Years, the Lands of England might have been raised, by the Use of this Manure, more than double what this Tax will produce to the Government; and, we apprehend, this is a very improper Time to check the Industry of the People, and prevent their domestick Improvements, since, we fear, the national Wealth is not likely to be increased, at this Time, by a foreign Commerce.

<i>Scarsdale</i>	<i>Litchfield</i>	<i>Carteret</i>
<i>Strafford</i>	<i>Suffolk</i>	<i>Ker</i>
<i>Warrington</i>	<i>Coventry</i>	<i>Bristol</i>
<i>Gower</i>	<i>Masham</i>	<i>Thanet</i>
<i>Bathurst</i>	<i>Bridgewater</i>	<i>Winchelsea and</i>
<i>Boyle</i>	<i>Northampton</i>	<i>Nottingham.</i>
<i>Shaftsbury</i>	<i>Tweedale</i>	

Moved, That it be an Instruction to the said Committee, that they do receive a Clause to exempt from the Duties laid by this Bill, all home-made Salt used in victualling of Ships.

After Debate,

The Question was put thereupon,

And it was resolved in the Negative.

*Dissentient*

1. Because the Duties to be laid by this Bill on all home-made Salt used in victualling of Ships, increases the Expence of the Royal Navy, and is a heavy Burthen upon the Trade and Navigation of the Kingdom, and will very sensibly affect the Merchants, already under great Difficulties, by Reason of the Decay of Trade, and the many grievous Losses they have sustained, and Hardships they have undergone, by Depredations, Seizures and Confiscations, too severely felt by most of the Traders of Great Britain, and too publickly known to be doubted of.

2. Because this Duty upon our home-made Salt must occasion many of our Merchants to victual their Ships abroad,

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abroad, to the Diminution of the national Wealth, and to the great Detriment of the landed Interest of this Kingdom.

<i>Abingdon</i>	<i>Shaftsbury</i>	<i>Tweeddale</i>
<i>Scarfsdale</i>	<i>Litchfield</i>	<i>Carteret</i>
<i>Strafford</i>	<i>Suffolk</i>	<i>Ker</i>
<i>Warrington</i>	<i>Coventry</i>	<i>Bristol</i>
<i>Gower</i>	<i>Masham</i>	<i>Thanet</i>
<i>Bathurst</i>	<i>Bridgwater</i>	<i>Winchelsea and</i>
<i>Boyle</i>	<i>Northampton</i>	<i>Nottingham.</i>

Moved, That it be an Instruction to the same Committee, that they do receive a Clause to restrain any Person, during the Time he shall be employed or concerned in the charging, collecting, levying, or managing any of the Duties to be granted by the Bill, from being a Returning Officer, or voting, or influencing any Elector to vote in Elections of Members to serve in Parliament.

After Debate,

The Question was put thereupon,

It was resolved in the Negative.

*Dissentient'*

1. Because the Officers employ'd in the Customs, in the Excise, in other Branches of the Revenues, and in other Posts of the publick Service, are already vastly numerous; they compose, in Effect, a second Standing Army, and are, perhaps, in some Respects, more dangerous than that Body of Men properly so called: The Influence which they have in Elections of Members to serve in Parliament has been too often felt to be denied; and we presume, that Examples are not hard to find, where the Military Forces have been withdrawn to create the Appearance of a free Election, and the standing Civil Forces of this Kind have been sent to take that Freedom away. Should we suffer this Evasion on the Freedom of Elections to continue, much more to increase, it will be easy, in our Opinion, to demonstrate, that one vital Principle of our present Constitution, and the Freedom of the *British* Government must be lost, since the House of Commons might, indeed, afterwards be a Representative of an Administration, or of one single Minister, but could no longer be a true Representative of the People. We think ourselves therefore obliged to oppose the Growth of so great an Evil,

up n



upon every Occasion; and we apprehend, that every such Increase of Officers of the Revenue as this Bill imports, is, strictly, such an Occasion, and therefore we think the Instruction should have been agreed to, that we might not add to that Evil, which, we conceive, is already too great.

2. Because the very Institution of Parliaments, at least, from the Time when they began to be composed and held in the Manner, and for all the Purposes, they now are, the principal Aim of the Enemies of publick Liberty has been to enable the Crown to govern without them, or to corrupt their Members, or to destroy the Freedom of their Elections. From the same Time we may date the constant Care which has been taken, by the Friends of publick Liberty, to ward off those several Dangers: And the Laws which appear in our Statute Books, for regulating Elections for Members to serve in Parliament, as well as the Qualifications of the Electors and the Elected, are standing Monuments which shew how early those Dangers began; and the Opposition to them began as early. The Form of our Government, as it has been settled since the Revolution, leaves us no longer Room to apprehend the first of the Attempts mentioned. The Wisdom of this House has seem'd, by rejecting the Pension Bill three Times successively, to think the Laws already in Force sufficient to prevent the second; but the third must, in our Opinion, be looked upon to be a growing Danger, and to require extream Watchfulness against the Consequences of it, as long as the many heavy Taxes, and the present Management of the publick Revenues, keep up, in all Parts of the Nation, such an exorbitant Number of Receivers, Supervisors, Collectors, and other Tax-gatherers, who are maintained by the People, but are solely directed by the Treasury. The State of Property, and the Nature of Tenures antiently, the real, as well as the pretended Prerogative, in Times more modern, gave to the Crown, among other Influences, a very great one in Election of Members to serve in Parliament. Thanks be to God, and to the Virtue of our Fore-fathers, this State of Property is altered, these Tenures are abolished, and these Prerogatives are either taken away or limited, defined or fixed, by Law; there will remain, therefore, no Means of destroying the Freedom of Elections, except those of Corruption, which, we hope, may be rendered

ineffectual by the Law to which this House consented two Sessions ago, and to the entire Satisfaction of the whole Nation, unless the Dangers we apprehend should arise by establishing such Augmentations of the Number of Officers employed in the Revenue, without Restrictions to prevent them from being returning Officers, or voting, or influencing any Elector to vote in future Elections.

3. Because we apprehend, that if such Augmentations, without the aforesaid Caution, are suffered to be made, greater Danger will arise from this new Influence, to the Freedom of Elections, and, by Consequence, to the Constitution of our Government, than ever did arise when Prerogative was carried to the utmost Height; and the Influence of the Crown was the most severely felt and complained of. We apprehend, that this exorbitant Number of Officers may, one Time or other, effect the Destruction of those Liberties, for the Preservation of which the Taxes were given, which these Officers are employed to collect. We apprehend, that, by consenting to the Increase of these Officers, without Restriction, we shall contribute to such an Influence as may prove more fatal to Liberty than those which were formerly acquired; because it will be the Effect of a Parliamentary Establishment, and will make its Way the more surely, by making it indirectly, secretly, and silently.

<i>Scarsdale</i>	<i>Coventry</i>	<i>Gower</i>
<i>Bathurst</i>	<i>Tweedale</i>	<i>Litchfield</i>
<i>Suffolk</i>	<i>Thanet</i>	<i>Bridgwater</i>
<i>Northampton</i>	<i>Warrington</i>	<i>Ker</i>
<i>Bristol</i>	<i>Shaftsbury</i>	<i>Winchelsea and</i>
<i>Strafford</i>	<i>Masham</i>	<i>Nottingham.</i>
<i>Boyle</i>	<i>Carteret</i>	

*On the ACT for Reviving the Duties on Salt, for the Term therein mentioned.*

*Die Veneris, 31<sup>o</sup> Martij 1732.*

**H***Odie 3<sup>ta</sup> vice lecta est Billa, entitled, An Act for Reviving the Duties on Salt, for the Term therein mentioned.*

*After Debate,*

*The Question was put, Whether this Bill shall pass? It was resolv'd in the Affirmative.*

*Dissentient*

*Dissentient*

1. Because this Tax hath been found, by long Experience, to be most grievous to the Subject; for which Reason the Parliament, upon the Recommendation of his Majesty from the Throne, chose to repeal this, as the most oppressive Part of the Sinking Fund, for the Ease and Relief of the Subject. It may therefore seem very extraordinary, that in so short a Time, before the People have received much Benefit from it, in a Time of Peace, and without any Necessity (that appears to us) and when the Supply might be raised with less Charge and Inconvenience within the Year, we should have Recourse to a Tax too odious and oppressive to be continued, even for the Payment of the National Debt.

2. Because we have Reason to believe the Parliament would not have cut off such a Branch of the Sinking Fund (which has been esteemed so sacred and necessary) if it could have been thought, that it could ever have been applied to any other Use; and it may give Cause to apprehend, that the rest of the Sinking Fund may, by the same Means, and to the same Purposes, be occasionally diminished, 'till it is too low to satisfy the publick Creditors, and discharge the immense Debts of the Nation; which Opinion (if it should once prevail) would effectually destroy the Publick Credit, and involve the King and Kingdom in inextricable Difficulties.

3. Because this Tax, instead of being applied to the Payment of our Debts, occasions the Increase of them; and, instead of raising the Supply within the Year, which is always most eligible, even in Time of War, if it can be done, and which Method (if it had been taken at first and pursued) had left the Nation free and uncumbered to us and our Posterity: We now mortgage the Revenue, in Time of Peace, for a Term of Years, though but a short one; but what the People, notwithstanding, may apprehend will be continued and made a Precedent in all Supplies for the future; which Method of anticipating the Revenue must necessarily weaken the Government, by depriving it of the Means necessary for its Support, in Case of any sudden Emergency of War, or other publick Calamity; and, in Consequence, throw all the Weight of the publick Expence upon the landed Interest, which will pay dear for the Relief of one Shilling in the Pound only in this Year's Land-Tax.

4. Because



4. Because it is liable to Frauds and great Deductions, which make the real Produce into the Exchequer little, though it raises much upon the People, and is a great Discouragement to the Fishery, a Burthen upon the Trade and Navigation of the Kingdom.

5. Because it is not only a great Burthen to the Land Estates, particularly to the Grazing Farms, but even a Prohibition to all Improvements of Land in those Parts where it is used in Manure.

6. Because as this Excise is proposed without any apparent Necessity or Convenience to the Publick, or any real Advantage (as is suggested) to the landed Interest, it must necessarily create a Jealousy in the People, that it is a Step and Introduction to a more General one; than which nothing can be more odious and dreaded, but a *Standing Army*! that must necessarily attend the Execution of it.

7. Because *Scotland* being charged only with one Shilling *per* Bushel on Salt, which is not a third Part of the Duty, introduceth an Inequality in Trade, contrary to that which seems established by the Articles of the Union, and tends to the keeping up individious Distinctions between the two Parts of the united Kingdom: It may justly be doubted if the Exemption from this Duty, at the Time of the Union, is a sufficient Reason for the like now, since the Duty was appropriated to the Debts of *England* contracted before, and is now revived for the current Service of this Year: Yet, under the Appearance of Favour, the People of *Scotland* will, at least, pay, in three Years, the full Sum of 24672 *l.* for the saving the one Shilling in the Land-Tax in the current Year, amounting to less than 12000 *l.* So that *Scotland*, instead of being eased by this Bill, is doubly loaded and restrained in their Trade upon Account of this Distinction, and all the Bounties upon Exportation payable now there, by Law, are render'd precarious, and, consequently, this Tax should not, in our Opinions, have been imposed.

8. Because the Subjects are laid under grievous Penalties by this Bill, the incurring of which cannot, in many Cases, be prevented, notwithstanding the strictest Care; whereby the most Innocent may be subjected to the Discretion and Mercy of the Commissioners and Officers of the Revenue, wherein the greatest Partiality may be exercised.

9. Because

9. Because all Taxes which require a Multitude of Officers to be employed in collecting them, and which gives thereby an Occasion and Pretence to quarter a Number of useless Subjects on the Labour and Industry of others, become so chargeable and oppressive, that they are hardly borne in the most arbitrary Governments, and that they seem repugnant to the very Nature of a Government constituted like ours. The sole Expence of levying this Tax added to the Interest which must be paid for Loans made on the Credit of it, will appear, on a fair Calculation, sufficient to discharge, in a competent Number of Years, the Principal and Interest of the whole Sum for which the Supply is given. In point of good Husbandry, therefore, we think that a Tax of this Nature should be rejected in any Country where *Reason* is not subdued by *Force*, and where *private Will* has not been yet received for *Law*. But in a limited Monarchy, like this of *Great Britain*, where the Powers of the Constitution are divided and balanced, and yet the whole executive Power is intrusted to the Prince, we apprehend, that these frequent and great Augmentations of the Number of Officers appointed, directed and paid by the Authority of the Crown, though employ'd in collecting and managing Revenues, which are no Part of the Revenue of the Crown, ought to be esteemed dangerous to publick Liberty, and for that superior Reason, to be eternally avoided.

<i>Bridgwater</i>	<i>Tweedale</i>	<i>Warrington</i>
<i>Shaftsbury</i>	<i>Strafford</i>	<i>Litchfield</i>
<i>Carteret</i>	<i>Northampton</i>	<i>Tadcaster</i>
<i>Bathurst</i>	<i>Gower</i>	<i>Winchelsea and</i>
<i>Coventry</i>	<i>Ker</i>	<i>Nottingham.</i>
<i>Bristol</i>	<i>Scarsdale</i>	

A STATE

**A STATE of the NATIONAL DEBT, provided or unprovided for by Parliament, as it stood the 31<sup>st</sup> of December, 1730, and the 31<sup>st</sup> of December, 1731. Together with an Account of the Produce of the Sinking Fund within that Year, and to the Payment of what Debts contracted before the 25<sup>th</sup> of December, 1716. the said Fund has been apply'd.**

Amount of the national Debt upon Dec. 31, 1730.	Increased between the 31 <sup>st</sup> of Dec. 1730. and the 31 <sup>st</sup> of Decemb. 1731.	Paid off within the said Time.	Amount of the national Debt upon Dec. 31, 1731.
l.      s.      d.	l.      s.      d.	l.      s.      d.	l.      s.      d.
1837533      0      9	fallen in 500		1837033      0      9
108100			108100
139399      8      4	fallen in 5116.	13      4	134282      14      8 1/4
161108      6      8			161108      6      8
109290			109290
312000			312000

**E X C H E Q U E R.**

**A** Nnuities for long Terms, being the Remainder of the Original Sum contributed and unsubscribed to the South Sea Company.

**A** nnuities for Lives, with Benefit of Survivorship, being the original Sum contributed.

**A** nnuities on two or three Lives, being the Sum remaining after deducting what is fallen in by Deaths.

**A** nnuities at 9 l. per Cent.

**A** nnuities on Lottery 1710.

**A** nnuities on the Plate Act 6 Geo. 1.

**A** nnuities on the Nevis and St. Christopher's Debentures, at 3 l. per

37821      5      1 1/2

27821      5      1 1/2



Annuities on the *Nevils* and *St. Christopher's* Debentures, at 3 l. per Cent. }  
 Exchequer Bills on the *Vicquallers* }  
 Act, Anno 1726. }  
 Ditto made out for Interest on old }  
 Bills exchanged. }  
 Ditto for the Supply of the Year }  
 1730. }  
 Annuities at 3 l. 10 s. per Cent. }  
 per Ann. for the Year 1731. }

**EAST-INDIA Company.**

By two Acts of Parliament 9 Will. }  
 Regis, and by two others 6 G }  
 10 Annæ.

**Bank of ENGLAND.**

On their original Fund at 6 l. per }  
 Cent. }  
 For cancelling Exchequer Bills 3 }  
 Geo. primi Regis.

37821	5	1 $\frac{1}{4}$	37821	5	1 $\frac{1}{4}$
481400			481800		
2200			2200		
400000			510400		
3200000			3200000		
1600000			1600000		
1500000			1500000		

37821	5	1 $\frac{1}{4}$	37821	5	1 $\frac{1}{4}$
481800			481800		
2200			2200		
510400			510400		
3200000			3200000		
1600000			1600000		
1500000			1500000		

	Amount of the national Debt upon Dec. 31, 1730.		Increased between the 31st of Dec. 1730, and the 31st of Decemb. 1731.		Paid off within the said Time.		Amount of the national Debt upon Dec. 31, 1731.	
	<i>l.</i>	<i>s.</i>	<i>l.</i>	<i>s.</i>	<i>l.</i>	<i>s.</i>	<i>l.</i>	<i>s.</i>
<i>Bank of ENGLAND.</i>								
Purchased of the South Sea Company.	4000000						4000000	
Annuities at 4 <i>l.</i> per Cent. charged on the Duty on Coals since March 25, 1719.	1750000						1750000	
Annuities charged on the Surplus of the Funds for Lottery 1714.	1250000						1250000	
Annuities for Lottery 1731.			800000				800000	
<i>SOUTH-SEA Company.</i>								
On their Capital Stock and Annuities, per Act 9 Geo. r. Regis.	32302203	5	6 $\frac{1}{2}$		1000000		31302203	5
	49301855	6	1 $\frac{1}{2}$		1516416	13	48985438	12
								9 $\frac{1}{2}$

*Note,* The Land Tax and the Duties on Malt, being annual Grants, are not included in this Account, nor the 1000000 *l.* charged on the Civil List.

## EXCHEQUER. Dr.

TO the Cash of the Sinking  
Fund, on Dec. 31, 1730. is }  
To the Produce of the Sinking  
Fund between Dec. 31, 1730,  
and Dec. 31, 1731, viz. }

On the Aggregate Fund. 628359 14 6  $\frac{3}{4}$

On the General Fund. 307014 6  $\frac{1}{4}$

On the South Sea Company  
Fund. } 66685 14 6  $\frac{1}{2}$

A Legacy bequeathed towards  
paying the Publick Debt. } 527 12

l. s. d.

628359 14 6  $\frac{3}{4}$ 307014 6  $\frac{1}{4}$ 66685 14 6  $\frac{1}{2}$ 

527 12

l. s. d.

362212 08 10  $\frac{1}{2}$ 

Per Contra.

BY Money issued towards  
discharging the  
National Debt  
between Dec. 31,  
1730, and Dec. 31,  
1731. viz.

By paid the South  
Sea Company in  
Discharge of so  
much of their  
Capital Stock in  
Annuities. } 1000000

By Ballance on the  
31st of Dec. 1731. }

1002587 07 1  $\frac{1}{4}$ 1364799 16 00  $\frac{1}{4}$ 

S 2

Cr.

l. s. d.

364799 16  $\frac{3}{4}$ 1364799 16  $\frac{1}{4}$



Another Affair which employ'd the Parliament this Session, was a Dispute between our Sugar Colonies in the Gulf of *Mexico*, and the Northern Colonies on the Continent of *America*; the former of which complain'd of a great Trade carry'd on by the latter to the *French* Sugar Islands, who, they pretended, were by this Means enabled to under-sell our own Plantations who deal in that Commodity. As the Trade of our *American* Colonies is an Affair of the utmost Consequence to this Nation, we shall set before the Reader the following Papers, which may give him some Light into the Question.

*To the King's Most Excellent Majesty.*

*The Humble Address and Representation of the Council of Jamaica.*

*Most Gracious Sovereign,*

**W**E your Majesty's most dutiful and loyal Subjects, your Council of *Jamaica*, having taken into our Consideration the declining State and Condition of this Island, think ourselves indispensably obliged, in Duty to your Majesty, and in Justice to ourselves and our Country, humbly to make some Representation thereof to your Majesty. We shall forbear troubling your Majesty with the many melancholy Reflections the present Situation of our Affairs hath naturally led us into, and shall chiefly confine ourselves to the most obvious and visible Causes of our Misfortunes, the Encrease and Success of our Rebellious Slaves, the Decrease of our White People, and the Decay of our Trade and Planting Interest: The first hath in some Part been guarded against by your Majesty's great Goodness in sending, and we hope continuing amongst us, two Regiments of Soldiers, for our Preservation. The Decrease of our People is, in great Measure, owing to our Loss of Commerce; and therefore we shall endeavour to point out some of the many Causes of this latter Evil. We are, of late Years, deprived of the most beneficial Branch of our Trade, the carrying of Negroes and Dry Goods to the *Spanish* Coast; the Loss of this occasioned the Desertion of a considerable Number of our Seafaring Men, and others, from this Island, for want of Employment: A farther Discouragement to our Trade is, the frequent Hostilities committed by the *Spaniards*; who, regardless

of the solemn Treaties enter'd into with your Majesty, spare no *English* Vessel they can overcome; and from whom it has hitherto been in vain to attempt the obtaining any Satisfaction in these Parts. We likewise beg Leave to observe, that the Bays of *Campeachy* and *Honduras* were many Years in the Possession of your Majesty's Subjects, and reputed Part of the Territories depending on your Majesty's Government of this Island, and gave Employment to a considerable Number of Shipping and People to cut and carry Logwood from thence; but we have been dispossess'd of them by the *Spaniards*, who likewise there seized and made Prizes of a great Number of Ships belonging to your Majesty's Subjects.

The low Value of our Produce may be very justly attributed to the great Improvement the *French* have made in their Sugar Colonies, by the Encouragement given them; particularly, in allowing them to export their Commodities to foreign Markets, without first introducing them into any of the Ports of *France*; and from the Lowness of their Duties, and being under no Necessity of double Voyages, they can afford to undersell us: And likewise by the pernicious Trade that is carried on from *Ireland*, and your Majesty's Northern Colonies to the *French* Sugar Islands.

It is well known, that Sugar and other Commodities produced in the *French* and *Dutch* Colonies, are frequently imported into *Ireland*, without introducing them into the Ports of *Great Britain*, and paying the Duties, as your Majesty's Subjects of your Sugar Colonies are obliged to do; and consequently those Foreigners are supply'd with Provisions at easier Rates than we; and we are in a Manner depriv'd of a very considerable Market in that Part of your Majesty's Dominions.

Your Majesty's Northern Colonies import into this Island great Quantities of Provisions, and other Goods, for which they take no Part of our Produce in Exchange (a small Quantity of Molasses excepted) but are paid in Bullion, which they carry to *Hispaniola*, and buy Sugar, Rum, and Molasses for their own Use: This Trade is not only unequal and injurious to us, but prejudicial even to themselves, and highly so to our Mother Country, and drains us of so much Bullion in favour of *France*, which otherwise must have center'd in *Great Britain*.

We

We further beg Leave to observe to your Majesty, that Cocoa was formerly one of the principal Commodities of this Island, and a great Encouragement to the Settling it; but that it is now lost, which is in a great Measure owing to the Restrictions and heavy Duties laid on it in *Great Britain*; and possibly our Sugar, Rum, Ginger, and other Produce, may be attended with the same ill Consequences, if not timely remedy'd.

As the industrious Planters of this Island have lately introduced Coffee, and begun to make Plantations thereof, we humbly beg Leave to represent it; and to address your Majesty for some Encouragement, either by a Bounty on Importation, or otherwise, that such Settlements may be carried on with the greater Chearfulness.

We have already taken up too much of your Majesty's Time and Patience in this Representation; but our Zeal for your Majesty's Service in the Preservation of this Colony, and the natural Love we owe to our selves, and to our Country, in which is our All, has encouraged us to lay these Particulars before your Majesty. We humbly submit them to your Royal Consideration, and hope for such Relief as in your Majesty's great Wisdom shall be most advisable; that we, with the rest of your Majesty's Subjects, may enjoy the Blessings of a Reign so Glorious in itself, and so capable of making us, and our Posterity, a Happy and Flourishing People.

*St. Jago de la Vega,*  
Nov. 27, 1731.

*By Order of the Council,*

JOS. MAXWELL,  
*Clerk of the Council.*



To the King's Most Excellent Majesty.

The Humble Representation of the President and Council,  
and General Assembly of the Colony of New-York.

Most Gracious Sovereign.

WE your Majesty's most dutiful and loyal Subjects, the President and Council and General Assembly of your Majesty's Colony of *New-York*, beg Leave to represent, That

With Grief and Concern we have heard of the Monopoly aimed at by the Sugar Colonies, which, if obtained, will, we conceive, tend to the Ruin of this Colony, and be prejudicial to the Trade and Navigation of *Great Britain*. For

There is imported yearly into, and consumed in this Colony, a very large Quantity of the Woollen Manufacture of *Great Britain*, for our Cloathing and Preservation from the excessive Cold of our Winters; and so great is our Consumption of those Commodities, that we have Reason to believe the whole Sugar Colonies (excepting *Jamaica*, on account of the *Spanish Trade*) do not consume the like Quantity; and should we be disabled to pay for that Manufacture, we must be reduced to Nakedness, or to make our own Cloathing.

The Product of this, and the Neighbouring Colonies of *New-Jersey* and *Pensilvania*, is Provisions, Horses, and Lumber, which are exported to the *British* and Foreign Sugar Colonies, and in Exchange for them, are had Monies, Rum, Sugars, Molosses, Cocoa; Indigo, Cotton, Wooll, &c. whereof the Rum and Molosses are chiefly consumed in this Colony, and the Monies and other Merchandize are mostly apply'd to make good the Balance of our Trade to *Great Britain*, and so great a part of that Balance is paid in Money, that we have Reason to believe that all the *British* Sugar Colonies together (except *Jamaica*) do not import so much Silver and Gold into *Great Britain*, as this single Colony.

We are well assured, that the *British* Sugar Colonies cannot take off the one Half of the Provisions which this and the other two Bread Colonies do export, nor are they able to supply the Northern Colonies with the Rum and Molosses there consumed, without vastly diminishing the Quantity of Sugar which they now make; and though we be not by express Words in the

Monopoly

Monopoly aimed at, restrained from exporting our Provisions to the Foreign Sugar Colonies, yet the restraining us from taking any Part of their Product in Exchange, will as effectually do it.

Wherefore we have Reason to apprehend, that if the Monopoly aimed at be obtained, our Product now exported to the Foreign Sugar Colonies, will be as lost to us, and that we shall have little more from the *British* Sugar Colonies for all our Provisions, that they can consume, than the Rum, Molosses, and Sugar which we want to consume among ourselves, seeing the Glut of our Product, with them, must greatly lower the Price thereof; and the great Demand of Rum and Molosses, must vastly enhance the Price of them, and disable us to pay for the *British* Manufactures we have already had and owe for, and to pay for any more; must diminish the Consumption of the *British* Woollen Manufacture, and the Navigation now employ'd in bringing it to us, and in carrying our Product to the Foreign Sugar Colonies, and in carrying what is got in Exchange for it to *Britain*; must diminish the Quantity of Sugars in the *British* Sugar Colonies, and enhance the Price thereof so much, that *Britain* will probably be disabled to export any Part of it.

*Most Gracious Sovereign,*

We implore your most Sacred Majesty, the Father of all your Subjects, who has the Care and Prosperity of all of them equally at Heart, and who will be far from countenancing any Endeavours to make one Part of them the Slaves and Bondmen of another, (with whatever specious Pretences it may be aimed at) to have Pity and Compassion upon us, your poor, but most loyal and dutiful Subjects of these Bread Colonies; upon the Merchants of *Great Britain*, to whom we are greatly indebted; upon them, and the many Tradesmen and Seamen of *Great Britain*, who get their Living by the *British* Trade with us; and to grant us your most gracious Protection against this Attempt, which in its Consequences, would tend, we humbly conceive, to deprive them of their just Debts and future Support, and to cut us off from being of any other Use to our Mother Country, than to be the Bondmen and Slaves of her Sugar Colonies, by confining us to them for the Vent of the Produce of our Industry, and in Consequence obliging us to take what Price for it they please, and to give what Price they please for what we have in Exchange for them.

To

To these we shall add the two following Pieces on both Sides, the latter being an Answer to the former.

AS the Welfare of our Plantations is of the highest Concern to *Great Britain*, it may not be amiss at this Juncture to inform the Publick what Encouragements they want, and how they may still be made more beneficial to us. In doing which, I shall confine myself to these three Heads.

1. I shall shew what Hardships our Sugar Plantations lay under from our own Laws, and what Advantages the *French* have through a Defect in the same Laws.
2. What great Advantages the *French* have from their Trade with our Northern Colonies.
3. That our Sugar Colonies do not interfere with the Produce and Manufactures of *Great Britain*; but that our Northern Colonies do and will continue so to do, if not prevented.

As to the first Head. By 12 *Car.* 2. and 7 & 8 *Will.* 3. all Sugars of our Plantations are prohibited from being sent from thence to any Place whatsoever, but *Great Britain*, or our own Colonies; when they are imported here, they lay a Duty of 3 s. 6 d. a Hundred Weight, and be rated by 12 *Car.* 2. at 30 s. though they will not at present sell for near so much. When they are exported, they leave behind 8 d.  $\frac{1}{2}$  a Hundred Weight of the Duties paid.

By Acts of the Assemblies of Barbadoes and the Leeward Islands, Sugar, and the rest of their Produce, pays a Duty of 4  $\frac{1}{2}$  per Cent. on Exportation.

By 25 *Car.* 2. all Sugars of the *British* Plantations pay a Duty of 18 d. a Hundred Weight, if they are imported into our Northern Colonies; but *French* Sugars may be imported there free of any Duty whatsoever, and may be sent from thence to any Part of *Europe*; whereas, our own Plantation Sugars cannot, by the 7th and 8th of *Will.* 3. For this Reason they have set up several Refining Houses in Boston, and are enabled, by paying no Duties, small Port Charges, and low Freights, to import or export *French* Sugars 30 per Cent. cheaper than we can our Plantation Sugars.

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By



By 22 *Car.* 2. Sugar from our own Plantations is prohibited from being carry'd directly to *Ireland*, but Sugar from the *French* Plantations may, paying no more than 2 s. 4 d. a Hundred Weight, and we pay 1 s. 9 d. from *Great Britain* thither, besides the 8 d.  $\frac{1}{2}$  that is not drawn back, and the Charge of a double Voyage.

Rum imported from our own Plantations, pays the same Duty of 4 s. a Gallon, as *French* Brandy from *Dunkirk*; Molasses Spirits pay about 12 d. a Gallon, if pure, and a further Duty of 5 s. if compounded: So that these high Duties prevent the Consumption of *British* and Plantation Spirits, and promote that of *French* Brandy; for there has been imported from *Dunkirk* into *England*, no less than 5594 Tons, or 1,408,608 Gallons of Brandy within three Years, viz. from *Christmas* 1728, to *Christmas* 1731.

I shall be very short on my second Head, so much having been wrote about it already, and shall only observe, that the *French* purchase from our Northern Colonies, Horses, Lumber, Provisions, Live Stock, and all Requisites for their Plantations, with their Molasses, a Commodity they had no Vend for till the Year 1716, and it would still be of little Use to them if the *British* Subjects were prohibited from taking it off their Hands. By this Trade the *French* have been enabled to encrease their Plantations, to under-sell us in foreign Markets, and to beat us out of almost all our Exports; for by the Custom-house Accounts it plainly appears, that we exported more Sugar for the first seven Years after the Peace of *Utrecht*, than any seven Years since. We exported from *Christmas* 1712, to *Christmas* 1719, 120,650 Hogsheads of Sugar (computing 1000 Weight to the Hogshead) and we imported in the same Time but 418,913 Hogsheads. But we exported from *Christmas* 1723, to *Christmas* 1730, no more than 105,633 Hogsheads, although we then imported 584,545 Hogsheads: Nor had we exported so much, but for the Earthquake at *Martinico*, and the severe Drought in *Hispaniola*, in the Years 1726, 1727, and 1728. So that in the first seven Years after the Peace, we exported 14,987 Hogsheads in the Whole, or 2141 Hogsheads one Year with another, more than in the last seven Years; and we imported less at that Time by 165,632 Hogsheads in the whole, or 23,661 Hogsheads a Year, than we have done for these last seven Years. And as the Consumption of Sugar in *Europe* is near double what it was

Twenty Years ago, we should have exported double the Quantity we did then, had not the *French* supply'd the Foreign Markets in our Stead. To confirm what I have said, I would refer the Reader to a Representation made by the Board of Trade to his late Majesty in September, 1721, wherein are these Words: ' That the Trade of the Northern Colonies to the Foreign Plantations, with Horses, &c. is a great Discouragement to our Sugar Planters, for without these Supplies, neither the *French* nor *Dutch* could carry on their Sugar Works to any great Degree.

I am now come to my third and last Head.

The Produce of our Sugar Colonies is Sugar, Rum, Molasses, Cotton, Ginger, &c. all which Commodities we should otherwise buy from Foreigners; in Return they take from us their Cloathing, and all other Necessaries, and if there be any Surplus it centers here.

But the Northern Colonies produce much the same Commodities as *Great Britain*, especially *New England*, *New York*, and *Pensilvania*, and they have set up (as appears by the Report of the Board of Trade, laid this Session before the Parliament) several of our Manufactures, such as Woollen, Camblet, Linen, Iron, Hats, and making of Leather; and they export to the Sugar Lands, or to *Europe*, wrought Iron, Bridles, Saddles and Harness, Beaver Hats, Wheat, Flour, Malt Liquor, Syder, Butter, Cheese, Soap, Candles, Chairs, Cabinet and Turnery Wares. And as they have so many Manufactures of their own, they take but a small Quantity of Goods from hence; for it appears by Accounts laid before the Parliament, that there has been exported to these three Colonies but 2,798,070 *l.* for the Space of twelve Years, a great Part of which are Certificate Goods. Whereas the Exports to our Sugar Colonies, that do not contain a 20th Part of their Number of White People, amount to 5,264,108 *l.* for the same Time, which is more by 2,466,038 *l.* in the twelve Years, or 205,503 *l.* a Year, than they have taken off; and indeed there has been exported in the same Years to the Sugar Colonies more Goods by 98,172 *l.* than to all the Northern Colonies put together, the Amount of all their Exports being but 5,165,936 *l.* nor are the Exports to *Africa* included, amounting to 1,652,571 *l.* nineteen Parts in twenty of which go to purchase Negroes for the Sugar Colonies.

There is one Commodity I have not mentioned, which very much affects this Nation, and I have good Reason to believe it is sent to *France*, I mean Wool, for there is great Plenty of Sheep in the Northern Colonies, and as they do not manufacture all their Wool, they must either export it or throw it away. Nor is there in all our Acts of Parliament but one loose Clause, viz. in 10 and 11 W. 3. that prohibits the Exportation of Wool from our Northern Colonies into Foreign Countries. To prevent any such Thing being done for the future, or any Foreign Silks, Linens, or other Goods being carry'd directly to the Continent, I would propose, that all Plantation Ships which come into *Europe* should be oblig'd, under the strongest Penalties, not to return to the Plantations 'till they had taken their Clearings from hence, and to bring a Certificate here of what they took in at the Colonies, and of what Goods they landed in any Part of *Europe*. This is what the *French* Ships are obliged to do, when they go from their Colonies to *Spain*, by an Arret made Jan. 27, 1726.

I have now done with the Northern Colonies, and shall add but a Word or two concerning the Sugar Colonies.

You see, Sir, what Advantages the *French* Plantations have over ours, even by our own Laws. The Encouragements given them by the Crown of *France* are all very great.

There is a Premium given for every Negro imported thither in *French* Ships from *Africa*. They pay but half Duty on Sugars imported in Return for Negroes. They pay a Duty only of fifty-three Sous and four Deniers, or about 2 s. 5 d. Sterl. a Hundred Weight, to the Crown, on Sugars imported, and it is all drawn back on Exportation; there is indeed a Duty of about 5 d. a Hundred Weight, paid to their West-India Company, which is not drawn back. All Persons concern'd in their Sugar Works are exempt from paying the Capitation Tax of 5 s. Their Forts and Fortifications are built and maintain'd at the Expence of the Crown. Their Governors are restrained from taking any Money from the People, either as a Salary or Present, although the Planters there pay no 4  $\frac{1}{2}$  per Cent. Duty, and they have many other Advantages. So that till some of our Laws are repealed or amended, and we are put in all other Respects upon as good a Footing as the *French*.



*French*, they will continue to under-sell us in all Foreign Markets, and must inevitably beat us out of the Sugar Trade.

The ANSWER.

AN Advocate for the Sugar Colonies having publish'd his Thoughts concerning our Plantations, with Relation to the Sugar Bill yet depending in Parliament, put me also upon communicating to the Publick something further on the same Subject.

As for the Legislature's giving Encouragement to our Sugar Islands, I would be far from endeavouring to obstruct it, or indeed any thing else that may tend to their Advantage, so as it be not at the Expence of a vast Injury to their Fellow Subjects on the *British* Continent of *America*.

But this Advocate seems to be of so bitter and inveterate a Spirit against the Northern Colonies, that if he can't have his unreasonable Purpose brought about, and compass the End so earnestly solicited for, he would point out Ways and Methods for the Government here, yet further to cramp our present Trade, and, in a Manner, to load us with Fetters and Shackles, as if the Laws at present in being, (relating to Trade and Navigation) were very insufficient to keep us in Subjection: And to such a Degree is he transported with Prejudice, that he makes a Proposition against the Trade of the Northern Colonies, entirely foreign to the Sugar Islands, and which, if effected, would not in the least be beneficial to them. But such is the Nature and restless Temper of some, who, envying others Happiness, would injure themselves, rather than not ruin their Neighbours.

He insinuates as if the Misfortune of our being beat out of the Sugar Trade at Foreign Markets by the *French*, is owing to the Northern Colonies, which I can by no means grant; for it is sufficiently evident, and will yet be made further appear, that were not our Northern Colonies to supply the *French* with Horses, Lumber, &c. they would otherwise be furnish'd, without being beholden to us, and are able to carry on their Works without us.

This Gentleman goes on with enumerating a Catalogue of divers Sorts of Commodities, which he says are produced in the Northern Colonies, especially in *New England*, *New York*, and *Pensilvania*, and that it appears

appears, by a Report of the Board of Trade to this Session of Parliament, that they have set up several Manufactures, as Woollen, Camblet, Linnen, &c. and that they export to the Sugar Islands, or to *Europe*, sundry of their own Manufactures; to which I answer, That I have seen the said Report, as well as this Gentleman, in which the Lords of Trade say, by Information from the present Governor of the Massachusetts Bay in *New England*, 'That the Country People, who used 'to make most of their Cloathing out of their own 'Wooll, don't now make a Third Part of what they 'wear, but are mostly cloathed with *British* Manufactures: And their Lordships do indeed intimate, '(among other Things) that by Information of a certain 'Person here, great Quantities of Hats made in that 'Province, are exported to *Spain* and *Portugal*, and to 'our *West-India* Islands.

But then, is it not possible the Board of Trade might be misinform'd by this certain Person, as to this Particular? (for it is very probable the Information was not upon Oath) as the Case happen'd in a flagrant Instance not long since, where a certain Gentleman was examin'd without being sworn. But the Truth is, that on Enquire made of divers Gentlemen, who came lately from *New England*, there scarce ever were any considerable Quantities of Hats shipp'd off from thence, or very little (if any) other of their own Manufactures, such as are made in *Great Britain*. And this, did I not give entire Credit to, I would be far from publishing.

This Advocate further sets forth, that it does appear by Accounts laid before the Parliament, that more Goods have been exported to our Sugar Plantations in 12 Years, from *Great Britain*, than were in that Time to all our Northern Colonies.

In Answer to which, let it be consider'd, that great Part of the Goods enter'd out at the Custom-house for the *West-Indies*, are carry'd to the Northern Colonies, and some used in the *Guinea* Trade, which yet are added, to swell the Account of the Exports to the Sugar Islands, for it is impossible in the Nature of the Thing, to suppose, that all the Goods said to be shipp'd off to our Sugar Plantations, can be consumed there, which Goods very much consist in *India* and other foreign Commodities, as Silk, Linnens, and thin light Cloathing, suitable for hot Countries; whenas, if ye look into those very same Accounts he mentions, we shall find, that in the

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the said 12 Years, there was exported in *British* Manufactures to the Northern Colonies, the Value of 3,476,697 l. 14 s. And for the same Time to the Sugar Colonies in the like Manufactures, no more than the Value of 3,263,396 l. 15 s. which is more of the said Manufactures to the Northern Colonies by 213,300 l. 19 s. than to all the *British* Sugar Islands put together.

It must also be consider'd, that for 16 or 17 Years past, the Trade to the Northern Colonies is vastly improv'd, and keeps still increasing, as for Instance, in the Year 1716, the Total amount of Goods exported to *New England* only, was but 121,156 l. 19 s. 10 d. And in the Year 1726, there was exported 202,882 l. 9 s. 5 d. and we may justly conclude, if we had but a further Account from the Custom-house, it would appear, the Exports thither now, are very considerably larger than in 1726.

An Accident has happen'd since our last, which, tho' relating to a Person of very mean Figure of Life, was attended with such surprizing Circumstances as deserves to be recorded in this our *Register*.

On Tuesday the 18th of *April*, one *Richard Smith*, a Bookbinder, and Prisoner for Debt within the Liberties of the King's Bench, and *Bridget* his Wife, were found dead in their House in *Blackman Street, Southwark*, about Eight o'Clock in the Morning, hanging near their Bed, about a Yard distant from each other, with a loaded Pistol by the Man, and a Case Knife by the Woman; and in another Room their little Child about two Years old, was found in a Cradle, shot thro' the Head. In the Room were found also the following Letters, one directed to his Landlord, in which were inclosed the two others to Mr. *Brindley* a Bookbinder in *New Bond-street*, and the Shilling as therein mention'd; viz.

To Mr. BRIGHTRED.

S I R,  
THE Necessity of my Affairs has obliged me to give you this Trouble; I hope I have left more than is sufficient for the Money I owe you. I beg of you, that you'll be pleased to send these inclosed Papers, as directed, immediately by some Porter, and that without shewing them to any one.

Your humble Servant,

RICHARD SMITH.



P. S. I have a Suit of Black Cloaths at the Cock in Mint-street, which lies for 17 s. 6 d.

If you could find any Chap for my Dog and antient Cat, it would be kind. I have here sent a Shilling for the Porter.

*Cousin Brindley,*

**I**T is now about the Time I promised Payment to Mr. Brooks, which I have perform'd in the best Manner I was able. I wish it had been done more to your Satisfaction ; but the Thing was impossible. I here return you my hearty Thanks for the Favours which I have receiv'd ; it being all the Tribute I am able to pay. There is a certain anonymous Person, whom you have some Knowledge of, who, I am inform'd, has taken some Pains to make the World believe he has done me Services ; I wish that said Person had never troubled his Head about my Affairs ; I am sure he had no Business with them ; for it is entirely owing to his meddling, that I came Penniless into this Place ; whereas, had I brought Twenty Pounds in with me, which I could easily have done, I could not then have miss'd getting my Bread here, and in Time have been able to come to Terms with my Plaintiff ; whose Lunacy, I believe, could not have lasted always. I must not here conclude, for my meddling. Friend's Man *Sancho Pancho* would perhaps take it ill, did I not make mention of him ; therefore, if it lies in your Way, let *Sancho* know, that his Impudence and Insolence was not so much forgotten, as despised. I shall now make an End of this Epistle, desiring you to publish the inclos'd ; as to the Manner how, I leave it entirely to your Judgment. That all Happiness may attend you and yours, is the Prayer of,

*Your affectionate Kinsman even to Death,*

RICHARD SMITH.

P. S. If it lies in your Way, let that good-natur'd Man, Mr. *Duncome* know, that I remember'd him with my latest Breath.

*To Mr. BRINDLEY.*

**T**HESE Actions consider'd in all their Circumstances, being somewhat uncommon, it may not be improper to give some Account of the Cause, and that it was an inveterate Hatred we conceived against Poverty and

Rags ;

Rags; Evils that through a Train of unlucky Accidents were become inevitable; for we appeal to all that ever knew us, whether we were either idle or extravagant, whether or no we have not taken as much Pains for our Living as our Neighbours, altho' not attended with the same Success. We apprehend, the taking our Child's Life away, to be a Circumstance for which we shall be generally condemn'd; but for our own Parts, we are perfectly easy upon that Head. We are satisfy'd it is less Cruelty to take the Child with us, even supposing a State of Annihilation, as some dream of, than to leave her friendless in the World, exposed to Ignorance and Misery: Now, in order to obviate some Censures, which may proceed either from Ignorance or Malice, we think it proper to inform the World, that we firmly believe the Existence of Almighty God; that this Belief of ours is not an implicit Faith, but deduced from the Nature and Reason of Things; we believe the Existence of an Almighty Being, from the Consideration of his wonderful Works; from a Consideration of those innumerable celestial and glorious Bodies, and from their wonderful Order and Harmony. We have also spent some Time in viewing those Wonders, which are to be seen in the minute Part of the World, and that with great Pleasure and Satisfaction; from all which Particulars we are satisfy'd that such amazing Things could not possibly be without a first Mover, without the Existence of an Almighty Being; and as we know the wonderful God to be almighty, so we cannot help believing but that he is also good, not implacable; not like such Wretches as Men are, not taking Delight in the Miseries of his Creatures, for which Reason we resign up our Breaths unto him without any terrible Apprehensions, submitting ourselves to those Ways, which in his Goodness he shall please to appoint after Death: We also believe the Existence of unbody'd Creatures, and think we have Reason for that Belief; although we do not pretend to know their Way of subsisting. We are not ignorant of those Laws made *in terrorem*, but leave the Disposal of our Bodies to the Wisdom of the Coroner and his Jury; the Thing being indifferent to us, where our Bodies are laid; from whence it will appear how little anxious we are about a *Hic jacet*; we for our Parts, neither expect nor desire such Honours, but shall content ourselves with a borrow'd Epitaph, which we shall insert in this Paper.

*Without a Name, for ever silent, dumb ;  
Dust, Ashes, nought else is within this Tomb ;  
Where we were born or bred, it matters not,  
Who were our Parents, or hath us begot ;  
We were, but now are not ; think no more of us,  
For as we are, so you'll be turn'd to Dust.*

It is the Opinion of Naturalists, that our Bodies are at certain Stages of Life composed of new Matter ; so that a great many poor Men have new Bodies oftner than new Cloaths : Now, as Divines are not able to inform us which of those several Bodies shall rise at the Resurrection, it is very probable that the deceased Body may be for ever silent as well as any other.

RICHARD SMITH.  
BRIDGET SMITH.

The Coroner's Inquest for Prisoners in the King's Bench sat on the Body of the Man, and brought him in *Felo de se* ; and the Inquest for the Lord Mayor's Liberty sat on the Bodies of the Woman and the Child, and brought in the Woman the same, and that the Man was guilty of wilful Murder as to the Child.

We find, that in every Neighbourhood where they formerly liv'd, they bore the Character among the Neighbours of as honest, industrious, frugal, and loving a Couple, as any that were in the Neighbourhood ; and as to the last Part of the Character, it appears by their melancholy Catastrophe, that they were, perhaps, the most loving Couple that is to be found within the Bills of Mortality.

This poor Man, we are told from good Hands, was so honest, that he went, a few Days before he dy'd, to a neighbouring Woman, to whom he ow'd the small Sum of four Shillings, and told her he could not give her Money, but that if she would come to his House, and see if she could find any Thing that she stood in need of about that Value, she should have it ; but the Woman generously refused the Offer, and told him he should pay it when he was able ; and if he never was, she would forgive him the Debt.

FRANCE.



## F R A N C E.

*Continuation of the Dispute between the King and the Parliament of Paris.*

ON the 13th of *April*, the Parliament of *Paris*, by Orders, waited upon their Monarch at *Versailles*, at which Time they received his Majesty's absolute Commands not to meddle in any Ecclesiastical Affairs, on Pain of Disobedience. On the 12th of *May*, the Chambers of the Parliament met again, pursuant to the King's Order, and then again they were forbid in his Majesty's Name, to take Cognizance of any Ecclesiastical Affair. Hereupon great Debates arose, and many hard Words were bestow'd by several Members upon the first President, for his shewing more Complaisance to the Court Orders than they thought was consistent with the Dignity of their Body. The famous Abbot *Pucelle* spoke an Hour and half, and his Discourse was so moving and pathetick, that it drew Tears from most of the Audience. He told them, among other Things, that he would willingly lose his Head in Support of the Honour and Prerogatives of that illustrious Body. At last the Parliament in a Manner unanimously declared to the first President, that they would adjourn all their Courts, and go on with no Business, 'till they had well consider'd every Thing, and come to a Resolution, for which End they would meet again next Day; which they did accordingly about Five in the Morning, and resolved to address the King, either to indulge them the Enjoyment of all the Rights and Privileges with which the Parliament of *Paris* had always been honour'd, and particularly the Cognizance of Appeals and Writs of Error, it being an essential Part of the Laws of *France*, which they could not in Conscience give up; or if his Majesty should not think fit to continue this Favour to them, they beseeched him to dispense with their proceeding in any other Business relating to their Courts. While they were forming these Resolutions, the King's Advocate and Solicitor-General came in and acquainted them, that they had received a Letter from the King, commanding them to return to *Compeign* with the Deputies of the Parliament, to receive his Majesty's Orders.

About One o'Clock that Afternoon, the first Presidents, all the Presidents à *Mortier*, the Deans of the Counsel-

*Without a Name, for ever silent, dumb ;  
Dust, Ashes, nought else is within this Tomb ;  
Where we were born or bred, it matters not,  
Who were our Parents, or hath us begot ;  
We were, but now are not ; think no more of us,  
For as we are, so you'll be turn'd to Dust.*

It is the Opinion of Naturalists, that our Bodies are at certain Stages of Life composed of new Matter ; so that a great many poor Men have new Bodies oftner than new Cloaths : Now, as Divines are not able to inform us which of those several Bodies shall rise at the Resurrection, it is very probable that the deceased Body may be for ever silent as well as any other.

RICHARD SMITH.  
BRIDGET SMITH.

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lors of the Great Chamber, with one of the Senior Counsellors (Abbot *Pucelle*) and all the Advocates General, making in all about 24 Deputies, set out for *Campaigne*; next Day about Noon his Majesty gave them Audience; but siding with the Priests against his Parliament, immediately upon their first Approach, and before any of them had spoke a Word, he declared his Dissatisfaction with their Conduct, and told them, that *he would peremptorily be obey'd in every Point, and let them slight these Orders at their Peril.* The First President beginning to speak, in pursuance of the Commission he had received from the Parliament, the King enjoind him Silence, which he tamely submitted to; but the brave Abbot *Pucelle* approached his Majesty, and presented to him a Paper, which he told him contain'd in Substance what his Parliament had been about. The King receiv'd the Paper, but immediately gave it to the Secretary of State, who was present, and order'd him to tear it in Pieces, which he did; and his Majesty added, that he would hear no more of that Affair, and order'd them to be gone, and mind their own Business.

This Paper contain'd the Remonstrances of the Parliament, and to them was subjoin'd an Extract of the Registers of the Parliament, giving an Account of what happen'd in the Year 1626, in the Reign of *Lewis XIII.* to this Effect.

**T**HE Clergy being then assembled, came to some Resolutions which were contrary to the Welfare of the Church and State; whereupon the Parliament made an Arret, forbidding the Clergy to continue their Deliberations. The Clergy paying no Regard to this Arret, the Parliament made a second, the Purport whereof was, That unless the Clergy obey'd, and conformed themselves to their first Arret, they should be obliged to proceed against them in an extraordinary Manner. Hereupon the Clergy apply'd themselves to the King, who gave a favourable Ear to their Complaints, and forbid the Parliament to take Cognizance of that Affair: But the Parliament dictated to the First President *de Verdun*, this Resolution: It shall be represented to the King, ' That in Regard the Interests of his Religion, ' the Safety of his Person and of his State are concern'd ' herein, his Majesty will be pleas'd not to attribute it ' to any Disobedience in them, if the Parliament can't ' comply with any Evocation, or Prohibition which

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may be made them not to take Cognizance thereof; of which Remonstrance the Chancellor shall procure the King's Approbation, according to the Examples of his Predecessors in that Office, who were not afraid of incurring the King's Displeasure, to do him useful Service in Affairs of so great Importance: For which they were afterwards commended by his Majesty, &c.

When the Deputies of the Parliament were upon their Return from *Compiègne* to *Paris*, the Abbot *Pucelle* receiv'd a *Lettre de cachet*, by which he was banished to the Abbey of *Corbie* in the *Nivernois*; and the same Night Monsieur *Titon*, Counsellor of the Chamber *des Enquetes*, who was the Person that presented to the Parliament in their said Assembly of the 13th, the Extract above-mentioned, was taken out of his Bed, and carried Prisoner to the Castle of *Vincennes*, but that being too near *Paris*, he was soon after removed to the Tower of *Ham* near *Noyon* in *Picardie*.

Upon the 16th the Parliament was again assembled, when the first President gave them a full Account of what had happened at *Compiègne*, and of the Exile of the Abbot *Pucelle*, and the Imprisonment of Monsieur *Titon*. Then he acquainted them with the Steps that were taken in the Year 1718, to obtain the Liberty of Messieurs *Feydeaux* and *Blamont*, to the End that the same Means might be used in Behalf of Messieurs *Pucelle* and *Titon*; but all the Presidents and Counsellors of the Chambers *des Enquetes* and *Requetes* went away without saying one Word, and those of the Great Chamber broke up a few Minutes after, whereby all Business was put to a Stand.

The Court being inform'd of this, the Chancellor wrote the following Letter to the First President on the 19th, viz.

THE King could not help being greatly surprized, when he heard, Sir, that all the Officers of the Chambers *des Enquetes* and *Requetes* had entirely quitted the Exercise of their Functions ever since *Friday* last; and his Majesty cannot comprehend why the Great Chamber itself, which in former Times was always famous for their Firmness in acting up to every Puntilio of Duty, do not meet and hold their usual Sittings.

I cannot, in short, dissemble to you, Sir, that his Majesty expects from your Zeal, that you appear this Morning in the Great Chamber; and his Majesty, who  
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is very sensible of the Fidelity and Attachment of all the Presidents, and of a great Number of Gentlemen of the Great Chamber, is persuaded that they will not abandon you upon this Occasion.

The King cannot bear the Continuance of a State equally contrary to the Respect that is due to him, to the most Essential Duty of the Magistrates, and to the Interest of his Subjects: And therefore his Majesty has commanded me to write to you, that it is his Pleasure that all the Officers of his Parliament do resume the ordinary Exercise of their Functions, without farther Delay.

The King orders you to make his Intention known to them as soon as this Letter comes to Hand; to the End they may behave with that Submission which is due to his Orders; and his Majesty charges you personally to persevere in your Office, not doubting but that you and all the Presidents will be the first to set an Example to the rest of the Members. It is only by a faithful Execution of the King's Orders, that the Parliament can avoid the rigorous Resolutions which his Majesty cannot help taking with Regard to them. Prevent them, Sir, by speedily giving the King an Account, that his Orders are executed according to his Expectation.

*I am, &c.*

On the 26th they received the King's Letters Patents, ordering them to resume the Functions of their Office; but these Letters could not be registered without a new Meeting, because that in their Assembly of the 13th, they had ordered Monsieur *Ysabeau*, their Register, not to register, or suffer any Thing to be registered, nor taken off of the Register, no, not even on the Part of the King, without their express Orders; with a Certification that if he did, they would immediately make his Process, agreeable to former Precedents; which is one of the most concise and speediest Ways imaginable of administering Justice; for in such Cases the Guilty Member is immediately called to answer, the Proof brought, Sentence pronounced, and he hanged up within the Walls of the *Palais* or Parliament House; so that the Criminal may be arraigned, sentenced and hanged in less than two Hours Time. This being the Situation of Affairs, they resolv'd to meet next Day, and then they agreed to register the King's Letters Patents, but at the same Time they registered the following Arret at the Foot of them,



them, viz. ' The Court continuing their ordinary  
' Functions, will upon all Occasions give Proofs of the  
' same Zeal that they have always shewn to serve their  
' King and Country, to maintain the Sacred Rights of  
' the Crown, to suppress all Enterprizes capable of  
' keeping up Divisions in the Church or State, and to  
' discharge all the Duties that are prescribed them by  
' the Ordinances of their said Lord the King, and the  
' Kings his Predecessors.

Notwithstanding of these Letters Patents, the Parliament did not begin to resume any of the Functions of their Office, but ordered the *Gens du Roy* to carry a new Commission from them to his Majesty, with relation to Messieurs *Pucelle* and *Titon*. The *Gens du Roy* accordingly carried their Commission to the King, and upon the 9th Instant, the Parliament being assembled to receive their Report, Monsieur *Gilbert de Voisins*, in Name of the rest, spoke to this Effect, viz.

Gentlemen,

WE humbly intreat the Court to believe, that we have executed the Commission with which you did us the Honour to charge us, with all the Zeal that was in our Power.

We had the Honour to speak to the King on Saturday being *Whitsun-Eve*, desiring to know the Day and Hour which he would be pleased to appoint, for hearing the Remonstrances of his Parliament concerning the Absence of our Brethren. (Pardon the Expression, Gentlemen, and give us Leave to look upon them as our Brethren, at least with Regard to the Esteem which we have for them, and which we share with you.) The King himself answered us, *This is not a Time: My Parliament must first deserve my Goodness by a Conduct more agreeable to my Will and Intention*. This, Gentlemen, was the Answer which the King gave us; and we cannot report it to you without a great deal of Concern. We beg you to believe, that we are as impatient as you can be, to see among us again, Counsellors for whom our Veneration and Esteem are far from falling short of the General Voice. Do us the Favour also to be persuaded, that we shall use our utmost Endeavours to give you Proofs of the sincere Inclination we have, and shall always shew with the same Zeal, to make any Instances, with which the Parliament shall think fit to charge us.

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The *Gens du Roy* being withdrawn, the Parliament took their Report into Consideration : The Result whereof was, That they should be ordered, in the Name of the Assembly, to return to *Compiègne*, to make fresh Instances to his Majesty concerning the Commission with which they were charged. Hereupon they were sent for in, and Monsieur de *Portail*, the First President, acquainted them with the Resolution that had been taken ; adding, that the Parliament left it to them to think of the most proper Time for making these Instances to his Majesty. And they set out for *Compiègne* the next Morning, (10th) to execute their Commission.

The Chambers met again the 13th : The First President opened the Session with telling them there were two Reasons of equal Importance for calling them together : One was, to hear what Answer the King had given to the *Gens du Roy*, with Relation to the Absence of the two illustrious Members, for whose Return the Parliament was so solicitous : The other Reason was, to hear what they had to say in Pursuance of the Resolution of the 28th of May last, whereby they were ordered to bring their Conclusions touching the Mandate of the Archbishop of *Paris*, which was put into their Hands for that Purpose. The *Gens du Roy* be called in, the First President told them, the Court had sent for them to hear what Answer they had receiv'd from the King in Relation to the two absent Counsellors ; and also to hear them upon the Affair of the Archbishop of *Paris*'s Mandate. Monsieur *Gilbert de Voisins* answer'd, ' That they went to *Compiègne* the 10th Inst. and had ' the Honour to see the King the next Morning : That ' his Majesty having heard their Instances, made Answer ' in these very Words : *I have, nothing to add to what* ' *I said to you before, except that my Parliament had best* ' *behave wisely* : That, notwithstanding they thought ' they saw in the King's Countenance some Rays of ' Goodness and Benevolence. That for what concerned ' the Mandate, it was an Affair which they foresaw ' would be attended with abundance of Difficulties ; ' especially as it was depending before the King's Council : That for the rest, it was contrary to the Maxims ' of the Parliament to take Cognizance of Affairs, where- ' in such Circumstances concurred ; and that in a Word, ' their Zeal for the Parliament obliged them to represent ' to them, that what appeared to them the most advisable ' in this Case was, to leave the Affair undecided.

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The *Gens du Roy* being withdrawn, after a short Debate they were ordered to come in again, to receive Orders to make an absolute Conclusion of the Affair of the Mandate, which they did accordingly. Hereupon they desired Leave to consult together; which being granted them, they retired for a while, and coming in again, Monsieur *de Voisins* said in the Name of the *Gens du Roy*, That they found themselves obliged to declare themselves more explicitly than they had done before; and to set forth the Reasons which induced them to advise the leaving this Affair undecided: That they had already mentioned one of them, to wit, That the Mandate was an Affair depending before a Higher Tribunal; and as for the Appeal, it belonged only to the Great Chamber to take Cognizance of it, and not to the other Chambers: That they took the Liberty to intreat the first President, the other Presidents, and all the Counsellors of the Great Chamber, to give some Attention to what they had now urged.

Having said this, the *Gens du Roy* withdrew; but were called in a fourth Time to give their Conclusions. The First President declar'd to them, that with Regard to the first Point of their Discourse, he was ordered to acquaint them, That the Parliament could not acquiesce with the Exceptions to their Jurisdiction; and that it would be their best Way to make their Conclusions forthwith, or to deliver back the Copy of the Mandate which had been put into their Hands for that Purpose. Monsieur *Gilbert Voisins* answer'd, That he made no Exceptions to the Parliaments Jurisdiction: That for his Part he knew of none, much less in Affairs wherein the Interests of the Assembly were concerned: That what they had said was to discharge what was due to their Honour and their Conscience; and that they insisted upon the Answer they had already given.

The King's Attorney-General and Advocate being withdrawn for the fourth Time, the First President ordered the Register to go to the Bar, and receive from the Hands of the *Gens du Roy* the Copy of the Mandate which had been delivered to them. This being done, the same was read by Monsieur *Delpeche*, instead of the Attorney-General, whose Business it properly was.

After a long and warm Debate, it was at length resolved to make an *Arret* with relation to the Archbishop of Paris's Mandate against the *Nouvelles Ecclesiastiques*, which *Arret* is as follows, viz.



**T**HE Court (all the Chambers being met) having seen the Mandate, entitled, *Mandate of the Archbishop of Paris*, containing a Condemnation of several Libels, entitled, *Church News*, of the 27th of April 1732, having heard the King's Advocate, and taken the Affair into Consideration; the Court admits the King's Attorney-General to be Appellant from the said Mandate; permits him to produce such Arguments as he thinks fit in Support of the said Appeal; and will proceed to hear Witnesses in this Court with all Speed: In the mean Time they forbid the Execution of the said Mandate, and likewise the uttering or dispersing of any Copies thereof, 'till further Orders from the Court thereupon. Done in Parliament, this 13th Day of June 1732.

Sign'd,

YSABEAU.

A Copy of this Arret was immediately sent to the Archbishop of *Paris*, and order'd to be printed, and two Counsellors were sent to Monsieur *Simon's*, Printer to the Parliament, to see it printed with all Expedition. This Assembly of the 13th, lasted from Ten in the Morning 'till Four in the Afternoon.

In the Night between the 15th and 16th, *Monf. Ogier*, President of the 2d Chamber of *Requetes*, received a *Lettre de Cachet*, banishing him to the Islands of *S. Margeret*; *Monf. de Vrevins*, Counsellor in the Great Chamber, received another, banishing him to *Poitiers*; *Monf. Robert*, likewise a Counsellor in the Great Chamber, a Third, banishing him to *Bellisle*; and *Monf. de la Fauriere*, Counsellor in the 3d Chamber *des Enquetes*, a Fourth, ordering him to *Salins* in *Franche Comté*. At the same Time also, the Parliament received a *Lettre de Cachet*, ordering them to send to *Compeigne* a Deputation of 32 of their Members, who set out the 16th, and had an Audience of the King the next Day; when his Majesty had nothing more to say to them, but only to declare his Concern for their having transgressed his Orders.

In the mean Time, (on the 16th) an Arret was made by the King's Council of State against the above-mention'd Arret of the Parliament, declaring the same to be void and of no Effect, as being made against his Majesty's known Intention; the printed Copies of the said Arret of Parliament are thereby order'd to be suppress'd; and

and it is order'd that this Arret of the King's Council shall be immediately transcribed into the Registers of Parliament, at the Foot of the Parliament's Arret of the 13th Instant ; his Majesty thereby enjoins the First President of the Parliament, personally, and in his own private Name, to see this done, and to send an Account thereof to his Majesty ; and forbids all the Officers of the said Parliament to propose any Thing contrary to the present Arret, on Pain of incurring his Majesty's Displeasure, and being deprived of their Places, &c.

On the 20th in the Morning, the Chambers of the Parliament being met, the First President acquainted them with the Orders which the King had given him ; whereupon most of the Members of the Chambers *des Enquetes* and *Requetes* resolved not to wait 'till they were deprived of their Offices, but immediately offer'd to resign them into the Hands of the first President, and retir'd without doing any Business. Immediately after, they drew up a formal Act of Resignation, which was signed by the Presidents and other Members, to the Number of 166, which they carry'd to the First President, who refused to accept of it ; upon which they went to the Chancellor's ; but not finding him at home, they left their Act at his House, with a Letter signifying the Purport of it. They have since been commanded in very severe Terms by the King to resume their Functions ; but they have as constantly refused to do so, but upon Condition, that their exiled and imprison'd Brethren be restor'd ; the Parliament have at all Times Liberty to address the King ; and some other Grievances complain'd of, be redress'd. And here the Dispute at present rests ; but 'tis thought some Accommodation will speedily be found.

At the same Time this late Mandate of the Archbishop of *Paris*, occasions as much Confusion in the Church, as it does in the Parliament ; most of the Curates or Parish Priests have refused to read it in their Churches, according to the Archbishop's Injunctions. The Vicar of *St. Jaques de la Boucherie*, having read it to his Parishioners at Seven o'Clock Mass, he no sooner got out of the Pulpit, but the Curate went in, and declared openly against it. In the Church of *S. Benoit*, the Curate being about to read it, the Churchwardens quitted their Pew, and went out of the Church, being follow'd by most of the Congregation, which was also done at most other Churches in the City.

S P A I N.

## S P A I N.

**T**HE vast Preparations for War made in this Kingdom for some Months past, have kept all Europe in Suspence and Expectation where the Storm was to light; and every one looked that upon its breaking out, it would kindle the Flames of War once more throughout Christendom. But these Fears have been agreeably disappointed; it appearing at last, that the real Design was against *Barbary*. Accordingly, the whole Fleet of Men of War and Transports, with 30,000 Soldiers on Board, with a prodigious Quantity of Warlike Stores of all Kinds, weigh'd from the Road of *Alicant* on the 4th of *June*, and getting out to Sea with a fair Wind the next Day, arriv'd on the 8th at *Cape Ferro*, two Miles from the City of *Oran*, on the *Barbary* Coast, where they safely landed their Troops. This was what the last Advices brought us; and as the *Moors* are like to make a fierce Opposition, and the *Spaniards* are so numerous and well prepar'd for an Attack, it seems probable that this Enterprize will afford some entertaining Particulars for our next Register.

F I N I S.



T H E


*Historical Register.*

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N U M B E R L X V I I .

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G R E A T B R I T A I N .

 N our last *Register* we gave some Account of what passed in the last Session of Parliament. We shall now be more particular, by adding thereto the Debates and other important Proceedings which occur'd during the same.

His Majesty having deliver'd from the Throne his most gracious Speech there inserted, and the Commons being return'd to their House, Mr. Speaker reported his Majesty's Speech to the House, and thereupon the Lord H—y rose up, and after having in a very eloquent speech enumerated the many Difficulties this Nation was brought under by the Intrigues of our Enemies abroad, and the many Dangers and great Expence we would have been inevitably involved in, if the War with which *Europe* was threaten'd, had not been prevented by his Majesty's great Foresight and wise Measures; by the good Success of which, the War was not only prevented, but the Tranquillity of *Europe* was settled and establish'd upon a firm and a lasting Foundation; he made the following Motion :

That an humble Address be presented to his Majesty, to return his Majesty the Thanks of this House for his most gracious Speech from the Throne; to declare our highest Satisfaction in seeing the general Tranquillity of *Europe* restor'd and establish'd by his Majesty's Credit and Influence, with so much Glory to the Crown of *Great Britain*, and Honour to this Nation; to acknowledge with Gratitude his Majesty's unwearied Endeavours

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vours for the Happiness of his People, and his Goodness in pursuing with Steadiness and Constancy such Measures as best conduced to the preserving the Rights and Possessions of these Kingdoms: To express our just Sense of his Majesty's great Wisdom, in being able to surmount the various Difficulties that so long embarrassed the Affairs of *Europe*, and particularly affected the Interests of *Great Britain*; and by pacifick Measures and Negotiations, to bring to a happy Conclusion the Disputes that for many Years had been subsisting and depending, and by just and honourable Treaties, to settle and re-establish the Publick Tranquillity, without the Hazard and Expence of a general Rupture, or kindling a War in any Part of *Europe*; and to assure his Majesty, that this House, sensible of the Happy Effects of the Confidence so justly reposed in his Majesty, and the Blessings we enjoy under his Government, will, with Cheerfulness grant the Supplies necessary for the Service of the current Year, for the Defence and Support of his Majesty's Government, and for the Security and Protection of his People.

Mr. Cl——ck rose next, and in a very handsome Speech explain'd the several jarring Interests of *Europe*, which had all been happily reconcil'd by his Majesty's Wisdom and good Conduct; and added, that as our Security depends upon the Preservation of the Ballance of Power in *Europe*, we could not in common Prudence have sat unconcern'd, and seen any one of the Powers of *Europe* swallow'd up by another. If any War had broke out, we must necessarily have been concern'd, and every Man was sensible of the fatal Effects such a War might have been attended with; that we were now free from all such Apprehensions; and as the present Happiness and Tranquillity not only of this Nation, but of *Europe* in general, was owing to the prudent and pacifick Measures pursu'd by his Majesty, he could not but approve of the Terms of addressing proposed, and therefore he seconded the Motion.

Sir W——d L——n spoke to the Effect as follows: Mr. Speaker, I shall join with all my Heart in an Address of Thanks to his Majesty, for his most gracious Speech from the Throne; but I cannot agree with descending so far into Particulars, as are contain'd in the Motion made by the honourable Gentleman who spoke first, and seconded by the honourable Gentleman who spoke last. The Treaties upon which it is pretended,

that the Tranquillity of *Europe*, and the Happiness of this Nation are so firmly and lastingly establish'd, are not now before the House, and therefore from my own Knowledge I can say nothing about them, nor can I form a Judgment of the Honour or Advantage which will from thence accrue to this Kingdom: But if I judge from what I hear or see abroad in the World, I must be of Opinion, that notwithstanding the great Things we have done for the Crown of *Spain*, and the Favours we have procured for the Royal Family of that Kingdom, we have as yet received very little Satisfaction for the Injuries done by them to this Nation: I have seen publish'd in our News-Papers, an Order of Instructions from his Catholick Majesty to the Governors of his Ports in the *Indies*, relating to the Depredations committed by the *Spaniards*, upon our Merchants trading in those Seas. But I cannot look upon this Order as any Satisfaction for the Depredations already committed; neither can I look upon it as a sufficient Check against the committing of any in Time to come: There are so many Conditions in this Order, so many *Is* and *Ands*, that it affords a large Scope to the *Spaniards* in that Part of the World, to go on in the taking or plundering of our Merchants Ships, under the Pretence of their being concerned in some illicit Commerce, or of their being found navigating in those Latitudes where the *Spaniards* may say they ought not to navigate: These Orders are so general, that the Captains of the *Spanish Guarda Costas*, and the Governors, who are generally Partners with the Captains, may put any Construction they please upon them, and we may expect that the Construction to be put upon them, will be most unfavourable for the Subjects of this Nation. I shall not, Sir, at present make any Motion, but as a Member of this House, I thought it incumbent upon me to declare my Sentiments in an Affair, in which the Honour of this House, and the Interest of the Nation are so much concern'd.

Mr. Sh——n next spoke to the following Purpose: Mr. Speaker, I rise not only to offer my Sentiments against the Terms of the Address propos'd, but likewise to make a Motion: It has, Sir, upon such an Occasion, been the ancient Custom of this House, to present an Address of Thanks to his Majesty, for his most gracious Speech from the Throne; but such Addresses were in former Days always in general Terms; there were in them no flattering Paragraphs, nor long Compliments



made to the Throne, for Transactions and Successes which had never been laid before the House, and of which, by a necessary Consequence, the House must have been supposed to have been entirely ignorant; it is true, Sir, we have of late Years fallen into a Custom of complimenting the Throne upon every such Occasion with long Addresses, and this Custom has been follow'd so long, that I am afraid it may at last become a Vote of course, to vote an Address to his Majesty in such Terms as shall be concerted by those very Men, whose Measures are approv'd of by the Compliment made to the Throne. I confess, Sir, that I am so little of a Courtier, that I cannot return Thanks for what I know nothing of, nor can I applaud before I know a Reason for such Applause; I am not at all against an Address of Thanks in the ancient usual Style; but tho' I should happen to be single and alone in my Opposition, which I hope I shall not, yet I am resolv'd to oppose addressing in the Terms mov'd for, if it were for no other Reason but this, That such a Motion may not stand upon the Journals of this House, as agreed to *Nemine Contradicente*; for if not taken Notice of in Time, such humble Addresses to the Throne may at last come to pass as a Matter of Course; and be as little regarded, or oppos'd, as some Affairs now are, which at first stood a long Contest before they could be introduc'd.

Sir, it is no new Thing in me to oppose such Addresses; I have always oppos'd them, and though I do not thereby appear to be a good Courtier, yet it shews that I have some Respect for the Honour and Dignity of this House; besides, Sir, when such Addresses have been propos'd, it has been promis'd, and we have been assur'd, that no Advantage should afterwards be taken of any Words contain'd in the complimenting Part of such Address; but every Member in this House knows, that when the House had an Opportunity of examining Things more particularly, and Debates ensued thereupon, they have then been told that they could not censure any of the past Transactions, because they had approv'd of them all by their Address of Thanks to his Majesty for his most gracious Speech from the Throne. I hope, Sir, for the Sake of my Country, that all Things are well, that our Affairs both abroad and at home, are in that prosperous Condition in which they have been represented to us; but as we cannot as yet judge from the Effects, and as the Treaties from which this great Prosperity and

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lasting Tranquillity is to arise, have not yet been laid before us, I cannot but look upon it as an anticipating of the Resolutions of this House, to thank his Majesty for those Treaties which we have not as yet had any Opportunity either to peruse or consider, and therefore I move, that the first Part only of the Motion already made should stand, and that all the other complimenting Paragraphs should be left out.

Mr. P——y spoke to the Effect following: Sir, I am very willing that an Address of Thanks be presented to his Majesty for his most gracious Speech from the Throne; but I cannot agree to an Address in the Terms proposed by the honourable Gentleman who made the Motion, because they seem to imply an Approbation of all that has been transacted or negotiated by his Majesty's Ministers; I am the more obliged upon this Occasion to declare my Opinion, because of the Motion's having been made by that honourable Gentleman, lest some of my Friends should be thereby misled, and made believe that I am for the Motion in its full Extent. We ought to thank his Majesty for his most gracious Speech, but I cannot see any Reason we have to thank him for our Liberties and Properties, they are secured to us by our Constitution, and as Subjects of *Great Britain* we have a natural Right to them, his Majesty is far from having the least Thought of making any Incroachments upon them; as for the Treaties and Negotiations abroad, and the Honours and Advantages we have by them acquir'd, I do not think that we can take Notice of them, for 'till they be laid before the House, we must be presumed to be ignorant of them; for my own Part I shall be glad to know that we are now at last got into a right Way; but supposing that all is now right with us, I am certain there was a Time some Years ago, when we might have been as Right as we are now, and upon the same Conditions: If we had embraced that Opportunity, a great deal of Money would have been saved to the Nation, but in those Days, the *Guaranty* of the *Pragmatick Sanction* was looked on as inconsistent with the Interest and Happiness of this Nation, and was represented as such even by those who have now agreed to it; what were their Reasons for representing it in such a hideous Shape at that Time, and for placing it now in so amiable a View, I cannot comprehend: For my own Part, Sir, I do not see any Necessity we were under of agreeing to it, even at this present Time; by our agreeing  
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to that Guaranty, we lay ourselves under an Obligation of assisting the *Austrian* Family whenever they shall be attacked by any Potentate whatever, except the Grand Signior; they may happen to be attacked, when it will be much against the Interest of this Nation, to engage itself in a War upon any Foreign Account; and if they should acquire many more Territories, it may be for the Interest of the Nation even to join in the Attack, in Order to preserve the Ballance of *Europe*, the Establishing of which has already cost us such immense Sums of Money. Thus we may be obliged either to engage in a War contrary to the Interest and Well-being of our Country, or otherwise be guilty of a Breach of Faith, to the eternal Dishonour of the Nation: These, Sir, are the Circumstances which this Nation may be brought into by entering into this Guaranty so early; and these, Sir, are Circumstances which every Wise Man ought, by all Means, to avoid: Besides, Sir, I do not know but we may be accused of some sort of Breach of Faith on Account of our late Negotiations with the Emperor; the *French* may, perhaps, say, that by the Treaty of *Hanover* we were obliged not to treat with any of the Powers against whom that Treaty seemed to be made, without the Concurrence of our Allies; and yet, notwithstanding thereof, we not only negotiated, but concluded a Treaty with the Emperor without communicating the same to them; what Reason the *French* may have for such an Accusation I cannot at present properly speak to; *Prussia*, it is true, had before set us an Example, and had drawn off from that Treaty long before we had; but *France* and *Holland* had adhered firmly to it to the very last.

According to the View I have of our late Negotiations, I cannot say, that either the Honour or the Interest of the Nation has been much considered; it is true, *Don Carlos* may be now established in the Succession to the Dutchy of *Tuscany* and in the Possession of the Dutchies of *Parma* and *Placentia*; the *Spanish* Troops may be introduced into *Italy*, and I wish their Introduction do not prove to be the Origine of new Troubles, but in these Things we have no particular Interest; nor can I say, that much Regard has been had to the particular Interest of this Nation in our Conduct at home; our Debts have been increased, at least not diminished, and at the same Time Luxury has been so much encouraged, that many have run out a great Part of their Fortunes, and

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and are thereby obliged to depend upon the Court ; in-  
 somuch that I must say, Happy it is for the Nation,  
 that the King is so good and so just, as not to have any  
 Designs against our Liberties. Our Trade is decaying  
 every Day, and Publick Credit is like to be entirely  
 destroyed by the many Publick Frauds that are com-  
 mitted ; for Credit depends upon that Faith and Confi-  
 dence which one Man puts in another, for the Preserva-  
 tion of that which is committed to his Care ; but by  
 these Publick Frauds all mutual Faith and Confidence  
 will be taken away ; no Man will think his Money safe  
 but when it is locked up in his own Coffers ; he will  
 not for the future trust the Management or keeping  
 thereof to any one Man, or to any Set of Men. How-  
 ever, I hope, Sir, that all our Affairs abroad are now  
 set to Rights, and that our domestick Grievances are  
 in a fair Way of being redressed ; but if they are so, I  
 must say, it is something like a Pilot, who, though he  
 has a clear, a safe, and a streight Passage for going into  
 Port, yet takes it in his Head to carry the Ship a great  
 Way about, through Sands, Rocks and Shallows, and  
 thereby loses a great many of the Seamen, destroys a  
 great deal of the Tackle and Rigging, and puts the  
 Owners to a vast Expence, however, at last, by Chance he  
 hits the Port, and then triumphs in his good Conduct.

Mr. D——rs said, That when he returned to the  
 Country, he should be glad to have something to tell  
 his Country Neighbours that would please them ; they  
 did not understand Treaties, nor did they trouble their  
 Heads much about distant Prospects of Wealth and Hap-  
 piness ; he wished he could tell them, that Part of our  
 Debts were paid off, or that some of our Taxes were  
 abolished, or the Standing Army disbanded. These were  
 Effects they would immediately feel, but he was afraid  
 they would be of Opinion, that a Peace attended with a  
 Continuation of all the Taxes, and a keeping on foot  
 the Standing Army, did not deserve any Thanks from  
 the Nation.

Sir W——m W——m spoke in Manner following : Sir,  
 I cannot agree to the Terms for addressing his Majesty,  
 proposed by the honourable Gentleman who spoke first,  
 because though every Thing may now be well settled  
 upon a solid and lasting Foundation, yet I cannot think  
 that our Conduct has in every Respect been right, or  
 that the Interest of this Nation has been by his Majesty's  
 Ministers, principally and steadily pursued. At one  
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Time we were frightened out of our Wits with Apprehensions that the Pretender was to be put upon us, and that without any Reason, for all that I have yet seen or heard upon the Subject. Then *Don Carlos* was made such a Giant of, that he, that Infant, was to swallow up and destroy all the Powers of *Europe*; at that Time we sued to *France* for an Alliance, and besought their Assistance, by which we put it in their Power to commence a War whenever they pleased; and if they had not been more taken up with Whims and Disputes about Religion than any wise Nation ought to be, they would certainly have involved us in a War in Conjunction with them, and thereby would have made us assist them in recovering all that they had lost by the last two Wars, the taking of which from them, had cost us so much Blood and Treasure: Some Time after we shook off all Fears of the Pretender, *Don Carlos* was again diminished to an ordinary Size, and then we began to bully *France* as much as we had courted it before; this Conduct cannot appear to me to be right, at least it does not appear to be steady and uniform. Upon the other hand, it must be said of the Imperial Court, that they have acted with Steadiness and Prudence; they have firmly adhered to the proper Interest of their native Country, and have steadily pursued the Aim they had in View, through all the different Shapes in which the Affairs of *Europe* have been put within these few Years; and by this Firmness and Resolution they have at last brought us to their own Terms, and have accomplished their Designs, notwithstanding the Conjunction and Alliance of so many formidable Powers against them; whereas we have been obliged, in some Manner, to comply with the Demands of almost every Power we have treated with, and if by such Means we have at last got off upon any tolerable Conditions, it must be said, that we have been like a Man in a Room, who wants to get out, and though the Door be open, and a clear Way to it, yet he stalks round the Room, breaks his Shins over a Stool, tumbles over a Chair, and at last, rumbling over every Thing in his Way, by chance finds the Door and gets out, after abundance of needless Trouble and unnecessary Danger.

Mr. Q.—*p* spoke to the Effect as follows: I do not think, Sir, that the Guaranty of the *Pragmatick Sanction* is much to be taken Notice of in the present Case: There are many other Things which at present relate  
more

more nearly to the Honour and Interest of this Nation; I wish I could have heard that the late new Works at *Dunkirk* had been entirely razed and destroyed; that we had received a full and compleat Satisfaction for the many Depredations committed by the *Spaniards*; and I should be glad to see more Care taken in arming the Country, and disciplining our Militia. I think it was a Scandal to the Nation to appear so much frightned as we lately appeared to be at the marching of a few *French* Troops down to those Coasts of *France* which lie next to us. We have, it is true, a Standing Army of good Regular Forces; but I hope this Nation will never be brought so low, as to have nothing to trust to for their Defence, but their Standing Army. Our Army bears but a small Proportion to the whole Body of the People, they can cover but a small Part of our Coast from an Invasion, and therefore Care should be taken to keep up military Discipline and a warlike Spirit among our Militia thro' all Parts of the Kingdom. Whenever we are threatned with an Invasion, our Safety and our Barrier next to our Fleet must depend upon them; it must be to them chiefly that we must trust our Defence against the Landing of a Foreign Enemy, and if they come once to lose entirely the Use of Arms, or the Knowledge of military Discipline, an Enemy that can, either by Cunning or Accident, escape our Fleet, may land with little Danger, and may do a great deal of Mischief before a sufficient Number of our Regular Forces can be brought together to oppose them.

As to our Foreign Affairs, I must say, Sir, that considering how much the Protestants in *Germany* have been oppress'd by the present Imperial Family, I could have wished with all my Heart, to have heard that some Care had been taken of them in the Treaty we have lately made with the Emperor; but as the *Dutch* have not as yet acceded to that Treaty, I hope some Care may as yet be taken of those poor People: I look upon it as a General Benefit, that the *Dutch* have not as yet acceded, because we may make an Advantage of it, by getting them to insist upon all such Additions, Explanations or Amendments, as may be judg'd necessary for the common Good of *Europe* in general, and of the Protestant Religion in particular. In the mean Time I am pleas'd to find, that we are not now so closely united with *France* as we formerly were; I have generally observed, that when two Dogs are in a Leash together, the Stronger generally

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runs away with the Weaker; and I am afraid this was something of the Case between *France* and us.

These were the principal Speakers against the Motion made by the L—d H—y, and seconded by Mr. C—ck.

The Honourable Mr. P—m spoke for it, and shewed, That it was no way inconsistent with the Honour or Dignity of that House to thank his Majesty in the most particular Terms for every Thing which he had been most graciously pleased to acquaint them with in his Speech from the Throne; that in common Decency they were upon that Occasion to look upon every Thing to be as it had been represented to them by his Majesty, but that no Compliments (as some of the Honourable Gentlemen who had spoke before were pleased to call them) that could be put into the Address, could be any way made use of to prevent that House's enquiring afterwards into the Measures that had been pursued, after the Treaties that had been entered into should be laid before them: Upon the contrary, if upon such an Enquiry it should be found, that any of the Negotiations had been carried on, or any of the Treaties concluded contrary to the Honour or Interest of the Nation, they were then to presume, that his Majesty had been imposed on, and thereby induced to make such a Speech to them; and by such an Imposition, those who had advised the carrying on of such Negotiations, or the concluding of such Treaties, would accumulate Guilt upon themselves, and would heap Coals of Fire upon their own Heads; for in such a Case, that House was not only to punish such evil Counsellors for Measures so weak, or so wicked, but also to punish them for imposing upon his Majesty, and advising him to make such a Speech from the Throne. That generally upon the Opening of a Session of Parliament, the Eyes of all *Europe* were turned towards *Great Britain*, and from their first Resolves, all the Neighbouring Powers were to judge of the Unanimity that was to ensue between his Majesty and his Parliament; that if they at first appeared to be in the least Dissident or jealous of his Majesty's Conduct, it would weaken his Influence upon the Councils of Foreign Courts, and thereby they might put it out of his Power to rectify any false Step (if any had been) made by his Ministers; this he was persuaded no Man would incline to do, that was a Friend either to his King or his Country, for the Sake of any private Pique he might have to any of his Majesty's Ministers. For these and many other Reasons he said

said he was for agreeing to the Address in the Terms first moved for.

Then Mr. W——le spoke to the Effect as follows: Mr. Speaker, the honourable Gentleman upon the Floor said, that he was afraid lest the Gentleman who first moved for an Address, might have some Weight with several of his Friends; I do not know, Sir, but that it may be so, I do not know but he may have Weight with some of those whom that Gentleman now looks upon as his Friends; but I am persuaded that nothing that he has said in Opposition to the Motion made by the other, will tend to diminish that Weight which he is afraid of. As to the House's agreeing to the Motion for presenting an Address to his Majesty, and in the Terms proposed by the Gentleman who made the Motion, I need not, Sir, say any Thing to it, that Affair has been so fully explain'd, and the Reasonableness of it so clearly demonstrated by the Gentlemen who have spoke upon that Side of the Question, that I have nothing to add. But since the Gentlemen who have spoke upon the other Side have entered into an Examination of the Measures that have been pursued, I hope the House will pardon me if I depart a little from the Subject of the present Debate, in order to answer some of the Objections that have been made to our late Conduct.

It has been said, Sir, that there was a Time, some Years ago, when the same Thing might have been done that is now done, by which a great deal of Money might have been saved to the Nation. I wish, Sir, the Gentleman who said so had told us what particular Time he meant; I know that the entering into the Guaranty of the *Pragmatick Sanction* was proposed to us some Years ago: But Sir, I know that it was then proposed in such dogmatick and positive Terms, that it was inconsistent with the Honour of his Majesty, or of this Nation to give the least Ear to a Proposal, which was made rather in the Terms of a peremptory Demand, and without offering the least Consideration to this Nation, for our agreeing to enter into such a Guaranty: Besides, Sir, there was at that Time good Reason to fear that *Don Carlos* was the Person upon whom the Imperial Court had fixed their Eye, as a Successor to his Imperial Majesty; and I am sure it was against the Interest of this Nation, to contribute to the establishing of a Person in the full and sole Possession of all the *Austrian* Dominions, who was by the Quadruple Alliance to have such large

Dominions of his own in *Italy*, and had by his Birth so near a Prospect to the Crown of *Spain*, and at that Time also a very near Prospect to the Crown of *France*. This Guaranty was again offered at the Time when the Treaty of *Seville* was in Agitation ; but then again it was rejected, because it was well known that the Proposal was made at that Time only with a View to disturb the Negotiations then carrying on, and which were so happily ended by the Conclusion of the Treaty of *Seville* ; so that at that Time no Treaty could be entered into by us with the Imperial Court, either about the Guaranty of the *Pragmatick Sanction* or any Thing else ; nor at any Time till they came to be a little more reasonable in their Proposals, and as soon as that Time came, we embraced the Opportunity, and our Negotiations had then all wished for Success.

Nor can it be said, Sir, that we have entered into that Guaranty too soon, it was our own Interest to enter into it as soon as possible, because the preserving of the Imperial Dominions entire is necessary for preserving the Ballance of Power in *Europe* : If we had delayed entering into that Guaranty till his Imperial Majesty's Death, it would then have been too late, *Europe* would have been in Flames, and the *Austrian* Dominions divided before we could have done any Thing. There may be Civil Broils in *Germany* upon the Emperor's Death without Male Heirs, happen when it will, but surely the best Way of preventing it, is to have the Affair fully settled, and that Settlement strongly guaranty'd before the Accident happens ; those who pretend to any Share will then be cautious, and will not be ready to enter into any violent Measures : And I must say, Sir, that if the Imperial Family were in any danger of being ruined or swallowed up by any neighbouring Power, we must engage in the Rescue, let our Circumstances be at that Time what they will ; for if such a Ruin should happen, our own would not be a great Way off. This Guaranty we ought, perhaps, to have gone into sooner, because of the fatal Consequences that might have ensued, if his Imperial Majesty had dropt off in the mean Time ; but we could not agree to it till the Imperial Court agreed to give Satisfaction to *Spain* with respect to the Dominions provided for *Don Carlos* in *Italy* by the Quadruple Alliance ; to the *Dutch* with respect to the particular Disputes between the Empire and them ; and to the *Dutch* and us with respect to the *Ostend* Company ;

and



and all these his Majesty, by his wise and steady Measures, has at last procured.

Sir, I say steady Measures, and I believe it will appear that our Measures have been as steady and uniform as those of any Court in *Europe*: Our Aim was to preserve our own Dominions abroad against the Design laid for wresting them from us; to preserve our Trade against the Incroachment made upon it by the setting up of the *Ostend* Company; and to preserve the Ballance of Power in *Europe* against any present or future Attempts for overturning it, in order thereby to establish, as far as is consistent with human Prudence, the general Tranquillity of *Europe*. This Aim was most steadily pursued through the various Shapes which the Affairs of *Europe* have taken within a few Years past, and is now at last in all human Appearance most happily accomplished; but it was necessary to establish the present Tranquillity of *Europe*, before we could think of the future; we were engaged by the Quadruple Alliance to see the Infante Don Carlos settled in the Succession of the Dutchies of *Tuscany*, *Parma* and *Placentia*; *Spain* could not be easy, nor could we expect any sincere Friendship with them till that was fully and compleatly effectuated; nor could either the *Dutch* or we be easy till we saw the *Ostend* Company absolutely demolished; and as soon as we got the present Tranquillity settled by the Imperial Court's agreeing to these two main Points, then we began to think of the future Tranquillity of *Europe*; and in order to establish that upon as solid a Foundation as the Nature of the Case will admit of, we have agreed to the Guaranty of the *Pragmatick Sanction*.

In all these Transactions, the true Interest of this Nation has been most strictly pursued, and never once departed from: The Interest of this Nation is connected with the General Interest of *Europe* in preserving the Ballance of Power; and therefore it is the Interest of this Nation, as well as of almost every one of the other Nations of *Europe*, to preserve the Dominions of the *Austrian* Family entire and undivided: I am sure no Man will say but that it is the Interest of this Nation, that the Dutchies of *Tuscany*, *Parma* and *Placentia* should never be in the Possession of *Germany*, *France* or *Spain*: It is very plain, that it is the Interest of this Nation to have the *East India* Trade from *Ostend* demolished; and it is as evident that this Nation is particularly interested in the preserving of *Gibraltar* and *Port Mahon*,  
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and at the same Time in cultivating a good Friendship and Correspondence with *Spain*. In all these Cases the Interest of this Nation is certainly most particularly concerned, and in every one of these Points we have obtained all that we could expect or desire; and all this without any mean Compliance upon our Part, or giving up any Thing that we were before entitled unto; upon the contrary, whenever any Scheme was offered by any of our Allies, which had the least Appearance of being against the Honour or Interest of this Nation, any Sort of Concurrence was absolutely refused, and thereupon all such Schemes have been dropt; how can it then be said, that neither the Honour nor the Interest of this Nation has been regarded in our Negotiations abroad, or that we have comply'd with every one in their Turn?

In all this Course of Negotiation, there have been many jarring Interests to be reconciled, and many Difficulties to be surmounted, all which his Majesty has, by his Wisdom and good Conduct, got over; nor is there the least Reason to suspect that, in any one Measure, the Publick Faith has been violated, nor has any Power or Potentate any ground for such a Complaint; nay, there is not one that does so much as pretend to it. The only View that *France* had, or at least owned, was to preserve the Publick Tranquility, and to see the Terms of the Quadruple Alliance complied with: If these two Points were brought to a happy Issue, it was all that the *French* had to demand; and as both are fully accomplished by the Treaty of *Vienna*, the *French* Court have no Reason to complain, so far otherways, that they have declared they are fully satisfied: And as for our taking an Alarm at the March of some of their Troops towards the Coasts of *France* which lie opposite to *England*, it did not proceed from any Jealousy that subsists between the two Nations, but only from that prudent Jealousy which every Nation ought to have of all its Neighbours, so far as to be always upon its Guard against every one of them; upon that Occasion the *French* were as much alarmed upon our marching Troops down towards our Coasts next to them, as we were upon the March of theirs.

As in all Treaties there are some Points left to be determined afterwards, according to the Plan then laid down; so, Sir, by the Treaty of *Seville* the *Spaniards* are to make full Satisfaction and Reparation for any Losses

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our Merchants have sustained by any unjust Seizures ; but as the Quantum of that Loss could not then be determined, nor could it then be determined what Seizures were lawful and what not, therefore it was absolutely necessary to leave that Affair to be enquired into and determined by Commissaries mutually appointed ; and we have all the Reason in the World to expect, that we shall at last meet with a full Satisfaction in that Affair, though it has been hitherto retarded by the Negotiations about publick Affairs of greater Moment which have occurred since the Conclusion of that Treaty. In all human Affairs, it is sometimes necessary to have Patience, and to wait the Course of Things ; Nations must not, upon every little Delay, or upon every trifling Dispute, come to an open Rupture, and involve themselves and their Neighbours in War and Bloodshed for Things, which with a little Patience might have been easily adjusted.

I should not, Sir, have troubled the House any further, but that since Comparisons have been going round, I hope I may have leave to make one in my Turn ; and I must say, that our late Affairs very much resemble a Set of honest quiet Country People got into a Country Dance, who went through their Dance with a great deal of Ease and Alacrity, 'till a turbulent noisy Fellow came in among them, who immediately forced himself into the Dance, and made such a Noise, that such a one was out, and such a one not right, such a Step out of Tune, and such a Turn not according to Rule, that they could not go on with their Dance ; but at last they resolved, and turned this troublesome Fellow out of Company, and then they all went on easily and quietly as they had done before.

Several other Gentlemen spoke upon both Sides of the Question ; but to give the Heads of every fine Speech that is made upon such Occasions would fill a Volume, and therefore we must only give the Heads of some of the most remarkable Speeches that are made upon such Occasions.

At last the Question was put, Agree with the Motion or not, which was carried in the Affirmative without any Division : And a Committee was appointed to draw up the Address, which they did, and the same was agreed to by the House. *Vid. Hist. Reg. N<sup>o</sup> LXVI.*

Upon



Upon the 18th of *January* the House of Commons came to a Resolution to grant a Supply to his Majesty, and upon the 21st, the following Estimates and Accounts were (pursuant to their Addresses or Orders) laid before them, viz.

An Estimate of the Charge of the Office of Ordnance for the Year 1732.

The ordinary Estimate of his Majesty's Navy for the Year 1732.

An Estimate of the Debt of his Majesty's Navy, as it stood on the 31st of *December* 1731.

An Account of the Number of Seamen employ'd in the Service of the Royal Navy from *December* 31, 1730, to *December* 31, 1731, upon a Medium of each Month, distinguishing what Number were born, and what mustered in the said Service.

A State of the yearly Revenue and Expence of *Greenwich* Hospital.

An Account, shewing how the Money granted last Session of Parliament for *Greenwich* Hospital had been disposed of.

All which were ordered to lie upon the Table, to be perused by the Members of the House.

And next Day the following Estimates and Accounts were, pursuant to their Orders, by his Majesty's Command, laid before the House, viz.

An Account, shewing how the Money given for the Service of the Year 1731, had been disposed of, distinguished under the several Heads, until the 24th day of *January* 1731; and the Part thereof remaining unsatisfied, with the Overplus thereupon.

N. B. *Because most of our Readers may be fond of seeing this Account, we have inserted it here below at the End of the Journal.*

An Account of what Money had been ordered by the Right Hon. the Lords of the Treasury, and received by the Treasurer of his Majesty's Navy, for any Services of the Navy, from the 31st Day of *December* 1730, to the 31st Day of *December* 1731.

Estimate of the Charge of the Guards, Garrisons and other his Majesty's Land Forces in *Great-Britain* for the Year 1732.

Estimate of the Charge of his Majesty's Forces in the Plantations, *Minorca* and *Gibraltar*, for the Year 1732.

Estimate of the Charge of the Out-Pensioners of *Chelsea* Sea Hospital for the Year 1732.

An Account of the Services incurred *Anno 1731*, and not provided for by Parliament.

Which Estimates and Accounts were ordered to lie upon the Table, to be perused by the Members.

The same day, upon a Report from the Committee of the whole House for considering of the Supply to be granted to his Majesty, the House came to the following Resolutions, *viz.*

1<sup>st</sup>, That 8000 Men should be employ'd for the Sea Service for the Year 1732, beginning from the first Day of *January 1731*.

2<sup>d</sup>, That a Sum not exceeding four Pounds *per Man* should be allowed for maintaining the said 8000 Men for thirteen Months, including the Ordnance for Sea Service.

On the 25<sup>th</sup>, Mr. *Sandys* presented to the House (according to Order) a Bill for making more effectual the Laws in Being for disabling Persons from being chosen Members of, or sitting or voting in the House of Commons, who have any Pension during Pleasure, or for any Number of Years, or any Offices held in Trust for them; which was received and read a first Time, and ordered to be read a second Time.

Then the House upon a further Report from the Committee of Supply came to the following Resolutions, *viz.*

1<sup>st</sup>, That a Sum not exceeding 212,885 *l. 7 s. 5 d.* should be granted to his Majesty for the Ordinary of the Navy (including Half-pay for Sea Officers) for the Year 1732.

2<sup>d</sup>, That a Sum not exceeding 10,000 *l.* should be granted to his Majesty upon Account towards the Support of the Royal Hospital at *Greenwich*, for the better Maintenance of the Seamen of the said Hospital, worn out or become decrepid in the Service of their Country.

3<sup>d</sup>, That a Sum not exceeding 82,715 *l. 1 s. 6 d.* should be granted to his Majesty, for the Charge of the Office of Ordnance for Land Service for the Year 1732.

4<sup>th</sup>, That a Sum not exceeding 3376 *l. 15 s. 9 d.* should be granted to his Majesty, for defraying the extraordinary Expence of the Office of Ordnance for Land Service not provided for by Parliament.

Upon the 26<sup>th</sup> Day of *January* the House of Commons received from the Commissioners of the Customs, several Accounts of prohibited *East-India* Goods, and of Naval Stores imported from *Russia*, which were ordered

to lie upon the Table to be perused by the Members: Then a List of Fees taken by the Officers of their House was (according to Order) brought in by the Clerk, which was likewise ordered to lie upon the Table for the Perusal of the Members. Then the House went upon the great Business of the Day, and resolved itself into a Committee of the whole House, to consider further of the Supply granted to his Majesty.

As soon as the House was resolved into this Committee, Sir *W. m. St. ——— nd, Sec ——— y* at W-r, moved, That the Number of Effective Men to be provided for Guards and Garrisons in *Great-Britain*, and for *Gaernsey* and *Jersey* for the Year 1732, should be (including 1815 Invalids, and 555 Men, which the six Independent Companies consist of for the Service of the Highlands) 17,709 Men, Commission and Non-commission Officers included. Sir *W. ——— m* supported this Motion by a short Speech, in which he shewed, that though the publick Tranquillity was happily and fully established, yet it was necessary for us to keep up at least the Number of Troops he had proposed, till we should see how those Measures by which the Publick Tranquillity had been established, should be approved of by the other Powers of *Europe*, who had not then declared their Sentiments upon that Subject.

After him *W ——— ns W ——— ms W ——— nne* stood up, and having shewed how dangerous it was to the Liberties of this Nation, to keep up a numerous standing Army in Time of Peace; he moved that the Number should be reduced to 12,000 effective Men.

Then the Lord *H ——— y* spoke as follows, Sir, though the Peace and Tranquillity of this Nation both abroad and at home, be now by his Majesty's wise Conduct established, in all Probability, upon a firm and lasting Foundation, yet a wise People ought always to be upon their Guard against the worst that may happen. The Publick Quiet both abroad and at home depends upon the Views and Inclinations of Men; and we know by Experience, that nothing is more fickle and variable; we ought not therefore to do any thing that may turn the Inclinations of our Enemies towards disturbing us, or that may give them any Views of Success in any such Attempts; the only Method to prevent their having any such Inclinations, or conceiving any such Hopes, is to keep up a good Army of Regular Forces. The number moved for, is, in my Opinion; the least



that can be thought of by any Man who has a true Regard for the Quiet and Prosperity of this Nation, and for the Preservation of the Protestant Succession in his Majesty's most illustrious Family.

Every Man knows, Sir, and every Man ought to reflect upon it with Concern, that we never did yet reduce our Army, but that that Reduction was the Occasion of some Plot or Machination against us: Did not the small Number of our Forces in the Beginning of his late Majesty's Reign spirit up and encourage that wicked and unnatural Rebellion that was raised against him? After that Insurrection was happily quelled, we made a Reduction of our Army, what were the Consequences? The Army was no sooner reduced, but our Enemies began to think of taking Advantage of it; we were not only threatned with a new Insurrection at home, but likewise with an Invasion from *Spain*. By good Management and good Luck, their Attempts were frustrated, their Hopes were rendered Abortive; and when we found ourselves quiet and easy, we again reduced our Army. This Reduction revived again the Hopes of our Enemies, they began again to Plot and to Cabal against us, under the Management, and by the Advice of the late Bishop of *Rocheſter*; but their Schemes were defeated by a timely and seasonable Discovery, and the wicked Authors suffered the most moderate Punishment that the Justice of the Nation could inflict.

Though every thing be at present quiet and easy, yet we must not imagine that we have no Enemies, or that they have lost their former Watchfulness; as long as we have a good and brave Army for our Support, they know they dare not break out into any open Acts of Violence: But the many scandalous and seditious Libels that are every Day published against the Government, and the many Scribblers that are employ'd to vilify and asperse his Majesty and his Administration, and to sow Disaffection and Discontent among the People, is an evident Sign that we have as yet many Enemies, even within our Bosom, who would probably think of making use of other Weapons than the Pen, if we should be so unwise as to afford them the least Hopes of Success, by making a great Reduction in our Army; and therefore I am for continuing the Army, for this Year at least, upon the footing that was first propos'd.

Mr. Pl——r said, That the most weighty Argument made use of by the Hon. Member who spoke last, seem'd

to be, that there was a great number of Scribblers employ'd to write against the Government; but for his Part, he could not see why that was a sufficient Reason for keeping up a Standing Army of Soldiers. If Scribbling gave the Government any Uneasiness, or made them dream of Danger, he thought the best Way would be to employ an Army of Scribblers to defend them, for he did not doubt but a sufficient Number of such might be found, who would list upon that Side where they expected they could make the most Advantage.

Sir *W—m Y—ge* then spoke to the Effect as follows, Mr. Speaker, The Question now before us is not any way relating to the Preservation or the Loss of our Liberties; we are not to suppose, we cannot suppose, that his Majesty is to employ the Forces we are to keep on Foot in any illegal Way, or that he is to make use of them, or of any other Means to encroach upon the Liberties of our Country. We have had sufficient Experience of his Majesty's Wisdom and Goodness not to entertain the least Suspicion of any such Design; all that his Majesty wants is, that we will take a Care to keep up a Parliamentary Force, sufficient for enabling him to repel any Attack that may be made upon our Country, or upon our Constitution. His Majesty desires nothing but what may be necessary for preserving us in the happy and quiet State in which we are at present, and for continuing and protecting the free Enjoyment of those Liberties and Privileges for which he has always shewn so great a Regard: While this is the Use that is to be made of our Standing Army, I cannot think that the number proposed is at all too large, and if any other Use were to be made of them, I hope, I should be as ready as any Man in this House to oppose any such Measures; but as long as the Continuance of the Army depends upon the Resolutions of Parliament from Year to Year, there is, I think, no Danger of any such Measures being entered upon, or ever so much as thought of; the Parliament will always have it in their Power to put a Stop to such Measures in their Infancy, and long before they can be made effectual, or so much as brought to any Maturity; and I hope it never will be imagined, that the Parliament will join in any Measures for enslaving the People.

The present Question is not whether we shall establish a Standing Army to continue for ever, or for any Term of Years: It is only about continuing the Number now proposed

proposed for one Year longer, till we see how the Treaties we have lately made are relished by some Foreign Powers: If they should happen not to approve of the Measures we have taken for establishing the general Good and Tranquillity of *Europe*, our keeping up of our Standing Army, will prevent them from taking any Measures for disturbing that Peace and Tranquillity so lately settled and established; as long as they find that we are in a Capacity to compel their Consent, they will at least dissemble and conceal their Dislike. If at the Expiration of the ensuing Year we find, that all the other Powers of *Europe* are quiet and easy; if we then find that they are willing to rest satisfied with those Measures which have been agreed upon, we may then lessen the Number of our Forces if we think fit, and one Year's Expence of maintaining 5 or 6000 Men, is but a trifle in Comparison with the Loss this Nation may sustain by exposing *Europe* and itself to the Danger of a new War.

It is well known, Sir, how fatal it was to *Europe*, how fatal it was to this Nation in particular, the disbanding of our Army after the Peace of *Ryswick*; King *William* had too much Wisdom and Penetration not to foresee the Consequences of so wrong a Step, and therefore he opposed it with all his Might; but his well founded Reasons could not prevail against the Spirit of that Faction and Party, which was so troublesome to him during his whole Reign, and prevented this Nation's reaping all those Advantages it might have done from his prudent Administration. After this mischievous Resolution was carried against him, and the brave Army which he had been at so much Pains to discipline and train up, was in pursuance thereof disbanded, he saw himself in no Condition to oppose or prevent the *French* King's taking Possession of the whole Kingdom of *Spain*, upon the Demise of the then King, who was even at that Time in so lingering a Condition, that his Death was every day expected, which made the Resolution for disbanding our Army at so critical a Juncture the more ridiculous; therefore King *William* found himself under a Sort of Necessity of entering into the Partition Treaty, which was afterwards so much censured in this House, and was certainly a Treaty that he never would have agreed to, but only that he thought it was necessary to give the *French* a small Part of the *Spanish* Dominions, in order to prevent their getting hold of the Whole.

We



We have seen, Sir, the good Effects of agreeing with his Majesty in the Measures he proposed for bringing about the Re-establishment of the Peace and Tranquility of *Europe*; I am persuaded that the continuing of the *Hessian* Troops in our Pay was one of the principal Causes of the Success of his Majesty's Negotiations, and I think the Event has justified me and every one who agreed with his Majesty in that Measure; as I was then of Opinion, that the continuing of the *Hessian* Troops in our Pay was absolutely necessary for bringing about those good Ends which have been thereby effectuated, so now I am of Opinion, that the keeping up the Number of our own Forces proposed, is a Measure that is absolutely necessary for preserving that Tranquility which is but just established.

But if there were no Fears from abroad, if there were no Danger of any Foreign Power's attempting to disturb the Tranquility of *Europe*, yet the Preservation even of our own Liberties, and of the *Protestant* Succession make it necessary to continue the whole Number proposed of our own Troops in our Pay; for though I am very far from thinking, that the Generality, or that the greatest Part of the People are disaffected, because I always reckon that the Affection of the People is to be measured by the Affection of their Representatives in Parliament; yet I am sorry to say, that there is still a Spirit of *Jacobitism* in the Country; though it be at present Dormant, it is not quite extinguished, as may appear from the Treatment lately given to a Petition for erecting the Statue of King *William*, that Great King, who had delivered us from so many Evils, and who had prevented our falling into the most abject Slavery that ever a People were brought into; yet a Petition for erecting a Statue in Memory of this Glorious King met with such Contempt, as could not be given by any but those who are most Enthusiastically led by that Evil Spirit; and while there are any great Remains of that Spirit in the Country, the Government never can be safe, nor can the Peace or Quiet of the Nation be secured, without keeping up such a Number of Regular Forces as may deprive such People of all Hopes of Success. For which Reasons, Sir, I shall give my Vote for keeping up the Number of Forces proposed.

Sir W——m W——m spoke as follows. Sir, It has always been looked on as contrary to the Constitution, and inconsistent with the Liberties of this Country,

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to keep up a Standing Army in Time of Peace. This is a Maxim that has been handed down to us from our Forefathers, and is certainly as true a Maxim as any that ever was, or ever can be laid down for the Preservation of our happy Constitution. His Majesty has been most graciously pleased to assure us from the Throne, That the Expectations he had given us from Time to Time of seeing the General Tranquillity of *Europe* restored and established are now fully answer'd. What have we more to expect? do we hope ever to see a Time when all the Powers of *Europe* will be even to outward Appearance so fully satisfied and pleased, that no Jealousies nor private Animosities do seem to remain? The Hope is vain, the Thing is impossible, for those very Measures which make one easy will always give some Appearance of Disquiet to another; besides, the Ambition of Princes is such, that no general Satisfaction can be expected, nor can a profound Tranquillity be hoped for to remain for any Time without some Disturbance. Either now is a proper Time for us to reduce a Part of our Army, or such a Time will never happen, and this Nation must always be obliged to be at the Expence of maintaing a numerous Regular Army, and lie exposed to have its Liberties and Privileges trampled upon by the Means of that Army, whenever we shall have a King weak or ambitious enough, or a Ministry wicked enough to engage in such Measures.

A much less Number than we have at present, have been found sufficient to guard us both against Invasions from abroad, and Insurrections at home, even in the Time of open War; during the whole Course of the long Wars we had in the Reigns both of King *William* and Queen *Anne*, a Body of 6 or 7000 Men was thought all that was requisite to be kept in this Nation for guarding us against all the Attempts of our Enemies Foreign or Domestick; and this small Body of Men, with the Affections of the People, appeared to be so sufficient for the Purpose designed, that the United Powers of *France* and *Spain* never durst venture to make an Invasion upon us; nay, they never so much as attempted it but once, and then they did it in such a faint Manner as shewed they were afraid of the Success of what they were going about: Yet every one knows what an Advantage it would have then been to the *French* Cause, if they could have made a Diversion by landing a Body of Troops in this Island.

After

After the Peace of *Ryswick* the Parliament was then so jealous of their Liberties, and so much afraid of introducing the dangerous Custom of keeping up a Standing Army in time of Peace, that they got the Army disbanded immediately after the Peace was concluded, and they certainly did Right in doing so. There were no fatal Consequences from thence ensued, nor could the Disbanding of our Army give the least Occasion to the Partition Treaty: *Spain* was then in a Manner our own, they were upon our Side, and were heartily engaged, or would have engaged in any tolerable Measures for preventing the *French King's* taking Possession of all, or of any Part of their Territories; but by that pernicious Treaty, which was even before the Conclusion of it, and before the fatal Effects it produced were felt, strenuously opposed by some of our own Ministers, and was afterwards so justly censured in Parliament, the *Spaniards* were forced to throw themselves into the Arms of *France*; they were obliged to accept of the Protection of *France*, in order to prevent their Monarchy from being rent and torn to Pieces, in pursuance of that ridiculous Scheme agreed upon by the Treaty of Partition. Yet notwithstanding this false Step, by which we lost the whole Monarchy of *Spain*, we lost nothing by having disbanded our Army, for immediately upon the War's breaking out afresh, we, in Conjunction with our Allies, not only raised such an Army as would have been sufficient to have defended *Spain*, but was found to be an Overmatch for the joint Powers of *France* and *Spain*, assisted by their new Ally the Duke of *Bavaria*, whom we had likewise disobliged, and thrown into the Scale against us by the Second Partition Treaty. And considering the great Success of our Arms in this last War, and the small Number of Regular Forces we had in Pay before it broke out; I think we may from thence most certainly conclude, that there never can be any Necessity, or really so much as a Pretence for keeping up such a numerous Standing Army in time of Peace, as we have at present in the Island of *Great-Britain* alone.

Sir, The brave and bold Spirit which the *British* Subjects naturally have, is well known; our Enemies have often felt it to their Cost; I hope the same Spirit still remains, I hope we have Men enow in *Britain* who have Resolution to defend themselves against any Invasion whatever, though there were not so much as one Red Coat in the whole Kingdom. It is upon the Bravery of



of our Subjects, upon the natural Courage of our Men, that we ought principally to depend for the Protection and Safety of our Country against a Foreign Enemy: By trusting to this we have continued for many Years to be a happy and free People, and as soon as we begin to put our Trust in any thing else, our Happiness and our Liberty will be at an End, and a State of Misery and Slavery must soon after ensue.

As to the Disaffection that is pretended to be in the Country, it is nothing but a Pretence, and it will always be a Pretence: I hope, Sir, it is so inconsiderable, that our ordinary Civil Officers are sufficient to seize, and our common jails capable to hold all the Disaffected in the Kingdom: But I must say that the continuing of a Standing Army even from Year to Year will certainly make the Disaffection increase, and will make it spread through all Parts of the Kingdom; the People never can be easy under the Load of Taxes, and the many Oppressions which always are, and always must be the Consequences of keeping up a numerous Standing Army in any Country. Our People are naturally jealous of their Liberties; the continuing of the Army thus from Year to Year, will make them conclude, that they are never to be relieved therefrom by Parliament; this may make them despair of preserving their Liberty by any peaceable Method, and may make them engage against one another in a cruel Civil War for the Preservation of those Liberties which they judge to be in imminent Danger: These may be the Consequences, but Wo to those Men who advise such Measures as may produce such fatal Effects! I wish that neither God nor Man may ever pardon the Authors of so much Misery!

We have heard much, Sir, of the Distinction between a Standing Army and a Parliamentary Army; for my part, I can see no Difference; a Standing Army is a Standing Army, let it be authorized by Parliament or no; the People may meet with the same Oppressions from both, and both must be maintained at the People's Expence. I join with the worthy Member who spoke last in Opinion, that the Affections of the People ought to be measured by the Affections of their Representatives in Parliament; it has always been so hitherto; the Subjects, when they suspected that the Crown was making any Inroachments upon their Liberties, always pleased themselves with the Thoughts that they would find a sure Redress from their Representatives assembled

in Parliament; upon them they always depend for a certain Remedy for all their real or even imaginary Wrongs; but if this House shall thus from Year to Year agree to the Continuance of a Standing Army, I am afraid this will no longer continue to be a Rule for measuring the Peoples Affections: The People will begin to look upon us, not as their Representatives, or as the Guardians of their Liberties, but as the insignificant Tools of a Court, and the hireling Supporters of an Administration.

Mr. P——m said, That as long as the Army was regularly paid, and strict Discipline kept up, he did not believe that the People could meet with any Injustice from them; and as long as they were subject to be reduced or disbanded by the Parliament, whenever it was thought convenient, they never could be employed against the Liberties and Privileges of the Subject; therefore he did not believe that the small number now proposed could ever raise any Discontent or Jealousy in the Minds of the People: But he joined heartily with the honourable Member who spoke last in wishing, that neither God nor Man might ever forgive those who were or should be the Occasion of our being obliged to fight for our Liberties; yet the Case he said had happened, we had been obliged to fight for our Liberties, and every thing that was dear to us; and yet notwithstanding many of those who had been principally the Occasion thereof, had been forgiven at least by Man.

Mr. B——d said, That he could not agree to the continuing of the Army upon the Footing proposed, because we had been assured by his Majesty, that there was a profound Tranquillity abroad; and if there was any Party at home against the *Protestant* Succession, he was convinced it was so insignificant, that it was not worth taking Notice of. That the setting up, or not setting up King *William's* Statue, could be no Argument for proving, that there was a Spirit of *Jacobitism* in the Country; for his part, he wished that the Proposal had been agreed to, and that the Statue had been set up; but he was sure that the late Opposition that was made to it, and the refusing to set it up in the Place proposed, did not proceed from any Disaffection to the Government, or from any Dislike of the Revolution; there were many other Reasons to be assigned for that Refusal, which by the Generality of the People, who were concerned in that Matter, were thought to be of Weight

Weight enough to make them give their Negative at that Time.

Mr. Att——G——l. Sir, It is certainly the Interest of this Nation to render itself as considerable as possible amongst its Neighbours; for the greater Opinion they have of our Strength and Power, the less apt they will be to undertake any Expeditions or Invasions against us, and the more easy it will be for us to obtain from them any Advantages or Immunities which we may think necessary for improving the Trade and increasing the Riches of the Kingdom. There is nothing contributes more to the Power and Strength of a People than Unanimity and Concord among themselves: A factious divided People are never able to do much good to themselves or their Friends, nor any great Injury to their Enemies and Rivals. The only thing then that can make this Nation considerable in the Eyes of Foreigners is, a hearty Union and Agreement between his Majesty and his Parliament; this it is, that has produced that happy Tranquillity which we now enjoy, and which by our Influence has been communicated to the rest of *Europe*, and in a Manner forced upon some of the Princes thereof; some of them had Inclination enough to have raised Commotions, and to have disturbed the Peace and Quiet of their Neighbours, but they durst not venture upon it, when they found the King of *Great-Britain* and his Parliament would join heartily in the same Measures against them: It may be supposed that the same Inclinations still remain, they only watch for an Opportunity to follow them; the least Disagreement between his Majesty and his Parliament will afford them what they wish, what they long for, and thereupon the Flames of War will break out afresh; for preserving therefore the Tranquillity which by our Influence has been established, it is necessary to continue the Means by which we have been able to accomplish so good a Design, for which Reason I am against disagreeing with what has been proposed.

Mr. P——r. Sir, If I thought that the continuing the number of Forces proposed were necessary for preserving the Publick Tranquillity, either at home or abroad, or for any other good End whatever, I should join most heartily in the Proposal. It is certain, that the continuing of so great an Army in Time of a profound Peace may be of dangerous Consequence to our



Constitution ; and it always must be oppressive as well as burthensome to the People ; therefore nothing but an absolute Necessity ought to prevail upon us to continue a Standing Army. From past Times we may be able to form a Judgment of the Present, from what has happened heretofore we may judge whether there be at present any absolute Necessity for keeping up such a number of Regular Forces: During the whole Time of the late War in the Reign of Queen *Anne*, there were but 6 or 7000 Men of Regular Forces kept in this Kingdom, and these were found sufficient, though the Pretender was then openly entertained at the *French* Court, and was but a few Days Journey distant from us; it was then much easier to carry on a Correspondence between him and his Friends in this Country than at present, and it must be supposed that he had more of them than he has now ; for by the very Nature of Things they must be daily decreasing, and will at last wear quite out, if wrong Measures at home do not prevent it; yet notwithstanding of the small number of Forces then kept in the Kingdom, they were never able to give the Government any great Disturbance or Uneasiness, therefore I must conclude, that for preventing any Attempts from the Pretender or his Party in the Kingdom, a greater Number is now not absolutely necessary, but is rather quite unnecessary and superfluous.

As soon as that War was at an End, our Troops were immediately disbanded, and the Army reduced to about 6000 some odd hundred Men ; it was not then pretended, that it was necessary to keep our Army on Foot till it should be seen how the Treaty we had made should be relished by Foreign Powers, or that there was any Danger of the War's breaking out afresh in case we should, for the Safety of our Constitution, and the Ease of our People, disband our Regular Forces. Yet I have so great a Respect for her Majesty's Memory, that I cannot believe she had any Views of favouring the Pretender or his Interest, either at home or abroad ; and with this small Number of Regular Forces at home, we found, that not only the general Tranquillity of *Europe* was preserved, but upon the Queen's Demise the Protestant Succession took Place without the least Disturbance or Opposition. There was, it is true, a Rebellion broke out some time after, and thereupon the Army was augmented, but that Rebellion was crushed even before the

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Augmentation was made; the six or seven thousand Troops we had in our Pay at home were found sufficient for suppressing that Insurrection; and notwithstanding of this small Number of Forces we had on Foot, and this Insurrection that was at the same Time raised against his late Majesty, yet we find that none of the Powers abroad ever offer'd either to disturb us or any of their Neighbours. Thus we find that in former Times, and that very lately too, the Publick Tranquillity has been preserved both abroad and at home by a little more than one third of the Regular Forces now proposed to be kept on Foot; for what End then can such a Number be proposed, or for what Reason should we agree to it? For my part, I can find none; but very strong Reasons for opposing it as much as lies in my Power.

I must say, Sir, that it is not to the Diminution or Reduction of our Regular Forces, that any Attempts against us ever were, or ever can be owing; such Attempts, either by Invasions or Insurrections must always arise from our Government's pursuing Measures by which Disaffection and Discontent are sowed among the People; when the People are generally disaffected, the Malecontents will gather Confidence from their Numbers; and our Neighbours will, upon every Occasion, be ready to invade us, when they are sure of meeting with a powerful Support and Assistance from the People themselves. There is no one Measure more apt to spread a general Disaffection among the People than that of keeping up a numerous Standing Army; this was one of the principal Things that ruin'd the late King *James*, and alienated from him the Peoples Affections almost to a Man: He had to trust to even a more numerous Army than that at present demanded; but what was the Consequence? That Army was so far from securing him against the general Discontent of the People, that they themselves, like honest Men as they were, joined in the general Defection, and contributed to the Overthrow of the Man who unjustly put his whole Trust and Confidence in them. I hope, Sir, that the *English* Armies will always behave so; I hope they will always be so faithful to their Country as to forsake the Man who has a Mind to enslave it; but this is not to be depended on; however, the Example shews that any Army breeds Disaffection among the People, and that even an Army cannot be much depended on by that King, who by putting

putting his whole Confidence in them, has incurred the Displeasure of the People. Therefore from the sincere Affection I have for the present Establishment, I must must be against continuing such a great Number of Regular Forces in this Kingdom.

*Mr. W——le*, Sir, I am sorry to hear a Parallel drawn by any Member of this House, between the Army kept up by the late King *James*, and the Army intended to be kept up at present. King *James's* Army was raised against Law, was maintained against the Consent of the People, and was employ'd in overturning the Liberties of the People: The present Question is about an Army which is to be kept up according to Law, and by and with the Consent and Approbation of the People. If we look into the Petition of Right itself, what does it say? That an Army raised or kept up without Consent of Parliament, is contrary to the Constitution; but it was never said, that an Army kept up by Consent of Parliament is illegal, or any Way contrary to our happy Constitution; in this Respect therefore no Parallel can be drawn between the present Army, which is to be kept up only by Consent of the People, and maintained by them, and that Army which was raised and maintained by King *James* himself, and was so far from being with the Concurrence or Consent of the People, that it was to be employed against them; and I am persuaded, that no Man here suspects that the present Army is to be employed in any such Manner.

I really believe, Sir, and I hope I am right, that there is but very little Dissatisfaction in the Nation, and that the Jacobite Party is now become very inconsiderable; but still that Party is not to be ridiculed and made a Joke of: We are not so much to despise all Attempts that may be made by them, as not to take any Measures to provide ourselves against them; such a Security is the best Thing they can wish for, they would be glad to be despised in such a Manner. Gentlemen may say what they will of the little Consequence of any Endeavours that have been, or may be used by them; but the late Rebellion is a certain Testimony that they are not to be too much despised. The Fate of the Kingdom was at that Time brought even to the Decision of a Day, and if the Rebels had been successful but at *Preston*, I do not know what might have been the Consequences; I dread to think of them: But let them have been never so fatal, if the Liberties of this Nation had been overthrown by  
the



the Success of those Rebels, it would have been entirely owing to our having so few Regular Forces on Foot at that Time. We have escaped that Danger, but do not let us expose ourselves every Day to such Dangers for the future, which must be the necessary Consequence of reducing any Part of the small Army now on Foot, and desired to be continued.

A Parliamentary Army never yet did any Harm to this Nation, but Reductions of that Army have often been fatal. I have been assured by a Minister of very great Consequence at the Court of *France*, that the reducing of our Army after the Peace of *Ryswick*, very much encouraged the Court of *France* to take such Measures, and to make such bold Steps as they afterwards did. They would have been more cautious if we had kept ourselves in a Capacity of pouring in a numerous Army upon them; but they saw that we had put it out of our Power, and therefore they despised us. The Reduction of the Army after the Treaty of *Utrecht* had not, by good Luck, all the ill Consequences that were designed, but the Reduction was certainly made with no good Intent. I have a good Opinion enough of the late Queen, she had not, perhaps, any ill Intentions; but I am convinced that her Ministers had laid a Scheme for overturning the Protestant Succession; and they had no other Way of executing this Scheme but by getting free of all those brave Officers and Soldiers who had served their Country so faithfully in the late Wars; this was what made the Army be reduced at that Time so low as it was: The Ministers knew that those honest Officers would not serve them in the Execution of their destructive Schemes, but they took Care to supply their Place by a Body of above 6000 Men, who were privately kept in Pay, and maintained under the Colour of *Chelsea* Hospital; and the Consequence shewed what Sort of Men these new Troops were, for almost every Man of them appeared in Arms in the late Rebellion against the Government. We have heard the Treaty of *Utrecht*, upon which this Reduction was made, applauded by some; whether it deserves any such Applause I do not know, but I am certain, that since that Time we have been obliged to enter into separate Treaties and Negotiations almost with every Power in *Europe*, for amending or explaining the Blunders of that Treaty; and if we are now right, whoever ascribes our being so to that Treaty, may be said to be like a Man, who after breaking

breaking another's Bones, and seeing them set again very right, and well cured by an able Surgeon, cries, you are obliged to me, Sir, for this great Cure that has been performed upon you.

After all, Sir, I would not have the Friends to the present Establishment think themselves absolutely safe and secure; it is not to be supposed but that his Majesty has still some private Enemies, even in our own Country; People may say what they will about the Treatment the Petition for erecting King *William's* Statue lately met with, but I look upon it as an Affront designedly put upon the Revolution; and I am sure it never could have met with so much Contempt from any thing but a Spirit of Jacobitism still subsisting in the Country, which can never be destroyed but by taking away from them all Hopes of Success, and this can only be done by keeping up an Army sufficient to defend us against their utmost Efforts.

Mr. N——— I said, That he approved very much of his Majesty's Speech to both Houses at the Beginning of Session; he was glad to observe, that his Majesty therein declared, in so strong Terms, his Affection for his People, but from the Motion that had been made for such a Number of Troops, he thought the Speech ought to have concluded with these Words, That his Majesty, to shew his Affection for his People, would quarter upon them for next Year but 18,000 Men.

Sir R——— & W——— le. Sir, I find the Gentlemen who oppose the Motion made by my honourable Friend, have all along argued, as if the Number of Forces now proposed, were to be kept up against Law, or to continue for ever; whereas the very Design of the Motion made to this House, is in order to have a Law for keeping them up; and all that the Gentleman wants by his Motion is, that they shall be continued for this Year only. The Case then before us is, whether it will be more proper, and more for the Benefit of the Nation, to keep up the Number proposed for one Year, or by an ill timed Frugality to reduce some Part of them, and thereby expose the Nation to be contemned and despised by our Neighbours round us, and that at a Time when the Publick Tranquillity is but just settled, and before we can know whether some of our neighbouring Powers are satisfied or no. Nations, as well as private Men, must accommodate their Measures to the Times they live in. The Circumstances of *Europe* are now much  
alter'd

altered from what they were in former Days; but a very few Ages ago there was no such Thing in *Europe* as what we now call a Standing Army; there was nothing but the Militia in any Country, and therefore it was no way necessary for us to have any thing else. If we quarrell'd with any of our Neighbours, we were sure they had nothing but Militia to bring against us, our Militia was, and I hope is still as good as theirs; but I do not believe that any Man will say, that the Militia of any Country can be made fully as good as Regular Troops bred up to Discipline, and accustomed to Command for many Years. The Thing is impossible, and is so look'd on by all the Powers of *Europe*. There is not now a Sovereign State in *Europe*, but keeps a Body of Regular Troops in their Pay; there are none of our Neighbours but what keep a much greater Number than we do; and therefore it is become in a manner absolutely necessary for us to keep some; we must have some Regular Troops to oppose to those that may upon a sudden Emergency be brought against us, and to obstruct and oppose their Passage till we have time to raise more: The only Question is, how great a Number we ought to keep, and in what Manner they are to be kept up, and so as not to be dangerous to our Constitution.

As to the preventing of any Danger arising from the Regular Forces kept up, I do not think there can be a better Method propos'd than that of keeping them up only by Authority of Parliament, and continuing them only from Year to Year; by this Method, Sir, they must always be dependent upon, and subservient to the Parliament or People, and consequently can never be made use of for any thing but for the Preservation and Safety of the People against all Attempts Foreign or Domestick: And while they are kept up in this Manner, they will always be a Terror to our Enemies, without subjecting us to any of those Misfortunes which other Countries have fallen into. A Standing Army I find is represented by some Gentlemen who have spoke upon the other Side of the Question, as not to be depended on even by the King, whose Service they are in. I grant that an Army of *British* Subjects, whatever Way kept up or modelled, is not to be trusted to by a King who makes any Attempts upon the Liberties of the People; but if such an Army rais'd and maintained without Consent of Parliament, was, we find,



not to be trusted to by a King who had such Designs, how much less can any Man depend for the Execution of such Designs upon an Army, such as we have at present? An Army raised, kept up, and maintained by the People; an Army that may be dismissed by them when they please; and an Army that is commanded by Gentlemen of some of the best Estates and Families amongst us, who never can be supposed capable of joining in any Measures for enslaving a Country where they have so great an Interest, and where their Ancestors have so often signalized themselves in the Cause of Liberty. It is not therefore to be imagined, that ever such an Army can be of any dangerous Consequence to our Liberties, were they much more numerous than they are proposed to be.

It is certain, that every State in *Europe* now measures the Strength of their Neighbours by the Number of Regular Troops they can bring into the Field; the Number, or even the Bravery of any Militia is not now much regarded, and therefore the Influence and the Credit that every State in *Europe* has, or can expect in the publick Negotiations thereof, depends entirely upon the Number of Regular Troops they can command upon any Emergency; we must therefore conclude, that if we reduce the Number of our Forces, our Influence abroad will decrease, our Enemies will begin to imagine, that they may catch great Advantages of us, or at least of our Allies, before we can be in a Condition to afford any considerable Assistance to our Friends, or do any great Injury to them; upon which Account I cannot think it prudent to make any great Reduction of our Army, before the Treaties we have made for establishing the Tranquility of *Europe*, are fully and absolutely secured by such Alliances as may make the Execution of what we have stipulated and agreed upon, certain and indisputable.

But even as to our Security at home, I do not think, *Sir*, that it can bear any Reduction at present; we do not know what sudden and unexpected Attempts may be made upon us; and notwithstanding of the great Army we have (as is pretended) at present, it is certain that we could not in several Weeks Time bring 5000 Men of Regular Forces together in any Part of the Island, for opposing any Invasion that may happen to be made upon us, without stripping our Capital, and leaving it without any Defence against its open or secret Enemies.

Those

Those who tell us, that there were but Seven Thousand Men in *England* during the Course of the late War, forget that we had at that Time four or five Thousand in *Scotland*, and had all along a great Army abroad at our Command, which we could bring over when we pleased, and did actually bring over 10,000 Men from *Flanders*, immediately upon the first sure Accounts we had that the *French* designed an Invasion in *Scotland*, which made the Number of Regular Forces then in the Island above 20,000, and shews that we were very far from relying upon the 7000 Men we then had in *England* for our sole Defence in the Time of Danger: Besides, we ought to consider, that the King of *France* was then wholly taken up in defending his own Territories, and settling his Son in the Possession of the *Spanish* Monarchy; he had not Time to think of the Pretender, nor could he spare any Troops for making an Invasion upon us.

Whereas, should that Nation, or any other begin now to have a Quarrel with us; the first Thing they would probably do, would be to endeavour to steal in the Pretender upon us with a good Body of Regular Troops; which Attempt they will always be the more ready to make, the fewer Regular Forces we have at home to oppose them: We have now no Army abroad at our Command; our Allies might perhaps have no more than were absolutely necessary for the Defence of their own Territories, and though they had, we know what a tedious Affair it is before they can be brought over to our Assistance; we cannot therefore properly put our Trust in any but those which we have within the Island, and the Number proposed is the smallest we can trust to, till the Affairs of *Europe* be so settled, as that we can be in no Danger of an Attack.

I must take Notice, *Sir*, that all those who are professed Enemies to our Constitution, and to the Protestant Succession, exclaim loudly against a Standing Army: There is not, I believe, a *Jacobite* in the Land, but what appears strenuously against the keeping up so great a Number of Regular Forces: I must, *Sir*, upon this Occasion, acquaint you with a Story that happened to me but t'other day. Some Bills having been lately sent over from *Ireland* for his Majesty's Approbation, and among them one against the *Papists* of that Kingdom; Counsel were admitted to be heard for and against the Bill: In the arguing of this Matter, it happened, that

the Counsel for the *Papists* had Occasion to refer to the Articles of *Limerick*, and therefore wanted them to be read; but there being no Copy of them then at the Council Board, their Solicitor, who was a *Papist*, pulled a little Book out of his Pocket, and from thence read the Articles: I supposed that this little Book was his *Vade Mecum*, and therefore I desired to look upon it, and found that it contain'd those Articles of *Limerick*, the *French King's* Declaration against the States of *Holland* in the Year 1701, and three Arguments against a Standing Army; from whence I concluded, that this Solicitor was a notable Holderforth in Coffee-Houses against the pernicious Consequences of a Standing Army; and I do not doubt, but that if he were a Member of this House, he would be one of the keenest among us against the present Question: For which Reason, Sir, I shall glory in being one of those that are for it.

Mr. P——y. Sir, We have heard a great deal about Parliamentary Armies, and about an Army continued from Year to Year; I have always been, Sir, and always shall be against a Standing Army of any Kind; to me it is a terrible Thing, whether under that of Parliamentary or any other Designation; a Standing Army is still a Standing Army, whatever Name it be called by; they are a Body of Men distinct from the Body of the People; they are governed by different Laws, and blind Obedience, and an entire Submission to the Orders of their Commanding Officer is their only Principle. The Nations around us, Sir, are already enslaved, and have been enslaved by those very Means; by Means of their Standing Armies they have every one lost their Liberties; it is indeed impossible that the Liberties of the People can be preserved in any Country where a numerous Standing Army is kept up. Shall we then take any of our Measures from the Examples of our Neighbours? No, Sir, upon the contrary, from their Misfortunes we ought to learn to avoid those Rocks upon which they have split.

It signifies nothing to tell me, that our Army is Commanded by such Gentlemen as cannot be supposed to join in any Measures for enslaving their Country; it may be so; I hope it is so; I have a very good Opinion of many Gentlemen now in the Army; I believe they would not join in any such Measures; but their Lives are uncertain, nor can we be sure how long they may be continued in Command; they may be all dismissed



missed in a Moment, and proper Tools of Power put in their Room. Besides, *Sir* we know the Passions of Men, we know how dangerous it is to trust the best of Men with too much Power; where was there a braver Army than that under *Julius Caesar*? Where was there ever an Army that had served their Country more faithfully? That Army was commanded generally by the best Citizens of *Rome*, by Men of great Fortune and Figure in their Country; yet that Army enslaved their Country. The Affections of the Soldiers towards their Country, the Honour and Integrity of the Under Officers, are not to be depended on; by the Military Law, the Administration of Justice is so quick, and the Punishments so severe, that neither Officer or Soldier dares offer to dispute the Orders of his supreme Commander; he must not consult his own Inclinations: If an Officer were commanded to pull his own Father out of this House, he must do it; he dares not disobey; immediate Death would be the sure Consequence of the least Grumbling. And if an Officer were sent into the Court of *Requests*, accompanied by a Body of Musketeers with screwed Bayonets, and with Orders to tell us what we ought to do, and how we were to Vote, I know what would be the Duty of this House; I know it would be our Duty to order the Officer to be taken and hanged up at the Door of the *Lobby*: But, *Sir*, I doubt much if such a Spirit could be found in the House, or in any House of Commons that will ever be in *England*.

*Sir*, I talk not of imaginary Things; I talk of what has happened to an *English* House of Commons, and from an *English* Army, not only from an *English* Army, but an Army that was raised by that very House of Commons, an Army that was paid by them, and an Army that was commanded by Generals appointed by them. Therefore, do not let us vainly imagine, that an Army raised and maintained by Authority of Parliament, will always be submissive to them: If an Army be so numerous as to have it in their Power to over-awe the Parliament, they will be submissive as long as the Parliament does nothing to disoblige their Favourite General; but when that Case happens, I am afraid that in place of the Parliament's dismissing the Army, the Army will dismiss the Parliament, as they have done heretofore. Nor does the Legality or Illegality of that Parliament, or of that Army, alter the Case, for with respect

respect to that Army, and according to their Way of thinking, the Parliament dismissed by them was a legal Parliament; they were an Army raised and maintained according to Law, and at first they were raised, as they imagined, for the Preservation of those Liberties which they afterwards destroy'd.

It has been urged, *Sir*, that whoever is for the Protestant Succession must be for continuing the Army: For that very Reason, *Sir*, I am against continuing the Army. I know that neither the Protestant Succession in his Majesty's most Illustrious House, nor any Succession can ever be safe as long as there is a Standing Army in the Country. Armies, *Sir*, have no Regard to Hereditary Successions. The first two *Cæsars* at Rome did pretty well, and found Means to keep their Armies in tolerable Subjection, because the Generals and Officers were all their own Creatures; but how did it fare with their Successors? Was not every one of them named by the Army without any Regard to Hereditary Right, or to any Right? A Cobbler, a Gardiner, or any Man who happened to raise himself in the Army, and could gain their Affections, was made Emperor of the World: Was not every succeeding Emperor raised to the Throne, or tumbled Headlong into the Dust, according to the meer Whim or mad Frenzy of the Soldiers?

We are told, Ho! Gentlemen, but this Army is desired to be continued but for one Year longer, it is not desired to be continued for any Term of Years; how absurd is this Distinction! Is there any Army in the World continued for any Term of Years? Does the most absolute Monarch tell his Army, that he is to continue them for any Number of Years, or any Number of Months? How long have we already continued our Army from Year to Year? And if it thus continues, wherein will it differ from the Standing Armies of those Countries which have already submitted their Necks to the Yoke? We are now come to the *Rubicon*; our Army is now to be reduced, or it never will; from his Majesty's own Mouth we are assured of a profound Tranquillity abroad, we know there is one at home; if this is not a proper Time, if these Circumstances do not afford us a safe Opportunity for reducing at least a Part of our Regular Forces, we never can expect to see any Reduction; and this Nation, already overloaded with Debts and Taxes, must be loaded with the heavy Charge of perpetually supporting a numerous Standing Army;  
and

and remain for ever exposed to the Danger of having its Liberties and Privileges trampled upon by any future King or Ministry, who shall take it in their Heads to do so, and shall take a proper Care to model the Army for that Purpose.

Then the Question was put, Agree with the Motion, (first mentioned) or no, and it was agreed to without any Amendment, upon a Division, 241 against 171. The Committee came likewise to another Resolution, both which were reported next Day to the House by Sir Charles Turner, Chairman of the Committee, and were as followeth, *viz.*

*Resolved*, That the Number of effective Men to be provided for Guards and Garrisons in *Great-Britain*, and for *Guernsey* and *Jersey*, for the Year 1732, be (including 1815 Invalids, and 555 Men, which the six Independent Companies consist of for the Service of the Highlands) 17,709 Men, Commission and Non-Commission Officers included.

*Resolved*, That a Sum not exceeding 653,216 *l.* 10 *s.* 1 *d.* be granted to his Majesty, for defraying the Charge of the said 17,709 Men, for Guards, Garrisons, and other his Majesty's Land Forces in *Great-Britain*, *Guernsey*, and *Jersey*, for the Year 1732.

The first of these Resolutions having (as before mentioned) stood a long Debate in the Committee, was agreed to by the House without any new Debate, but upon putting the Question as to the second.

Mr. Pl——r stood up, and spoke to the following Effect. Mr. Speaker, There was last Night such a long Debate upon the first of these Resolutions, and such a Disturbance upon the second, that I could not then have an Opportunity to speak to it. I hope the House will now indulge me with a little time to give my Sentiments even as to this second Resolution. Sir, it is highly necessary for the Good and Welfare of this Nation, that every Farthing of the Charge which the People are put to should be publickly known, and fully considered by this House; the Nation ought not to be cheated, and made to believe, that the maintaining of this 18,000 Men cost them only 653,000 *l.* when in reality it costs them a great deal more. Besides the Money that is raised among the People, and paid into the Hands of the Government for maintaining this Army, there is not an Innkeeper, an Alehouse, or a Brandyshop in the Nation, but what pays a  
very



very great additional Tax by Way of Quarters for the Officers and Soldiers.

But there is still, *Sir*, a much greater Evil arises from this hidden way of raising Money upon the People. It is, *Sir*, an Arbitrary and an Unequal Way of raising Money, and consequently affords to those who have the Management of the Army, an Opportunity of oppressing some People, or some Parts of the Nation. If any Country, if any Borough in this Kingdom disoblige those in Power, by sending Representatives to this House, who do not Vote as the Ministers would have them, it is in the Power of the Government even without any Pretence for so doing, to send a great Number of the Regular Forces to be quartered upon that County or that Borough; by which Means a much greater Sum is raised upon the People of that County or Borough, than is proportionally raised in any other Part of the Nation; nay, even if any private Innkeeper, or Alehouse Man in any County or Borough shall give a wrong Vote at the Election of Members of Parliament, it is in the Power of the Government, by Means of the Justices and the Constables, who are named by them, to oppress that Man, by quartering more Soldiers upon him, than are in Proportion quartered upon any one of his Neighbours. These are Grievances which the Nation justly complain of, and we ought to consider how they are to be redressed.

*Sir W——m S——d*, Secretary at War. *Sir*, The Honourable Gentleman who spoke last, seems, by what he has said, to bring a Charge against me, or at least, against those who have been in the Office which I have the Honour to be in at present. For my own Part, *Sir*, I can safely declare, that ever since I came into that Office, there has been no Favour shewn to any one Part of the Country, nor to any one Man in the Nation; we have never so much as thought of having a Regard to any thing but to that of cantoning and quartering the Troops into such Places as were most easy for the Country, and most convenient for them; unless when the Safety and Security of the Nation in general required the marching of a Number of them into any particular Country. This, *Sir*, has been the Method ever since I came into the Office: It shall be the Method as long as I continue in it; and I firmly believe, that the same Method was always observed by my Predecessors in Office.

Mr.

Mr. W——r. I do not know, Sir, what Method has been observ'd in cantoning and quartering the Troops, but I know that the Country complains heavily of the Oppressions they lie under upon that Account; it is but a little Time ago since some of my own Tenants came and told me, that they should be ruined by the Dragoons that were quarter'd upon them; they had not, they said, a Lock of Hay but what they were obliged to give to the Soldiers; so that all their own Cattle were in danger of being starved. For, Sir, in all Countries where the Soldiers come, they and their Horses must be first serv'd, and with the best of every Thing too; and what is still worse, the poor People are often obliged to serve them at their own Prices.

Mr. P——m. Sir, As I had the Honour to serve for some Time in that Office, and particularly at the Time mention'd by the Honourable Gentleman who spoke last, I think it necessary to say something upon the present Occasion. I remember very well, that Gentleman did make some Complaints to me; but I remember likewise, and he must also remember it, that I told him the Review which was at that Time, was the Occasion of bringing so many of the Forces into that Country, and as soon as that was over, they were sent elsewhere, and that Gentleman's Tenants in particular were reliev'd from any Hardship they might think they lay under upon that Account. During the whole time that I was in that Office, there was never any such Complaint made to me, but that I immediately order'd Relief to the Persons who thought themselves aggrieved, or gave them such Reasons why I could not give them Relief, as they seem'd to be satisfied with. In such Cases I never had any Respect to Persons; so far otherwise, that I have often given Relief at the Desire of those with whom I never did Vote in this House, nor I believe ever shall, and have order'd those very Troops to be sent and quarter'd upon those with whom I have always agreed in Opinion.

Mr. Fl——r. Sir, I am sorry that what I propos'd only for the Relief of the Publick, should be turned into a personal Dispute, or that Gentlemen should begin to vindicate themselves before they are accused. I did not say, that the Honourable Gentleman now in the Office, or that any Gentleman that has been in that Office, used any unjustifiable Methods in that respect, to favour one Party in the Nation more than another;

all that I said, and I say so still, was, that such Methods may be practised, such Means may be used for oppressing those who happen to differ in Opinion from the chief Men in Power; and such Means being of dangerous Consequence to our Constitution, they ought to be guarded against, and prevented, if possible. The Army, Sir, is supported, I hope, and maintained for the Service of all, and therefore all the Subjects of the Nation ought to contribute equally to the Expence of maintaining it. There is not a Soldier quarter'd upon an Innkeeper in Town or Country, but what Costs that Innkeeper near as much as he Costs the Government; so that if we were to raise all the Money by Parliamentary Authority that is necessary for maintaining the great Army we have, I am afraid we must raise near double the Sum that is proposed.

Mr. P——y. Sir, I was afraid at the Beginning of this Debate, that Barracks were to have been proposed; I am glad to find it is not so. I am indeed as much as any Person for giving Relief to that Part of our poor oppressed Subjects, the Innkeepers and Victuallers; but since I find that an Army is like to be a Part of our Constitution, I think it very just and reasonable that the Expence of maintaining them, should be laid as equally as possible upon the whole People of the Nation. But, Sir, I must observe, that the same Money that we raise for maintaining 18,000 Men, would maintain 60,000 Men of Regular Forces in France, Germany, or any other Country of Europe, according to their Way of regulating their Armies. I know, Sir, from whence our great Expence proceeds: It is from the great Number of Officers maintained in our Army; we have so many Regiments, and so few private Men in each Regiment, that really a great Part of our Army are Commission or Non-Commission Officers, which makes our Army so expensive to us, and at the same Time makes it more dangerous to our Constitution. I have been assured that 100,000 *English Money per Annum*, will maintain 10,000 Men of the Armies of France or Germany, or any other Troops but our own: And I have been told, I do not say that I remember, or that I can depend upon my Author, that the 12,000 *Hessians* we have so long maintain'd, were maintained for less than that Sum yearly.

Sir R——t W——le. I wish, Sir, the Gentleman who spoke last, would give us his Author for the Fact mentioned. Let him be who he will, I know the Story to



be false. But it is the common Way of scandalizing the Government, to invent and spread false Reports thro' the Country. The Stipulation for the 12,000 Hessians was made, Sir, upon the same Footing that all such Stipulations were made during the last War; there was not a Penny less stipulated to be paid for them, than what was agreed to by this House, and the whole Money was yearly advanced to them, according to the Accounts that have been laid before the House.

General W — *de. Sir*, Those who are acquainted with the Method of maintaining a German Army, will not envy them the Happiness of maintaining their Troops at so cheap a rate as they do. It is well known, that what they come short of ours in Pay, they do more than make up by plundering, oppressing, and raising Contributions upon the Countries where they are quartered. When I was in *Italy*, Sir, I had the Honour to be invited to dine with one of the German Generals who commanded in that Country: When I came to the Palace where he had his Quarters, I found the Hall and the Avenues leading thereto full of Country People, some with Wine, some with Beer, some with Bread, some with Fowls, some with Pigs, and God knows how many other Things; I could not imagine what all this meant; but when we came to sit down to Table, I found such variety of Dishes, such variety of Wines, so magnificent Attendance, and so sumptuous an Entertainment every manner of Way, (which at the same time I was told to be the General's ordinary Way of living) that I was very much surpriz'd; and after Dinner over a Glass of Wine, I took the Liberty to ask the General, For God's Sake, Sir, how are you able to live after this rate? for it would break any of our English Generals to live in so splendid a Manner; our Pay could not support it. Pay, Sir, says he, *Why*, I have none upon this Account from the Government; all this comes from the Country where I am quartered, which they are obliged to furnish me with for nothing; I have, Sir, seven Miles of the Country round allotted to me for supporting my Tab'e. Then, Sir, I guess'd at the Meaning of all those Country People's being in and about the Hall; I found they were all come with their Peace-Offerings to the General: At this rate, Sir, a German Officer does not stand in Need of much Pay from the Government; but I hope the Country of England will never be served at such a rate.

Sir W——m W——m. *Sir*, I do not know what may be the Methods by which the *Germans* or *French* maintain their Armies; but let their Manner be what it will, I am sure that the Expence we are now at for maintaining our Army, is much greater than necessary; nay, *Sir*, much greater than was usual, even among ourselves for maintaining an equal Number of Men. I know that during the last War 18,000 of our Troops were maintained abroad for 400,000 *l. per Annum*, and both the Officers and Soldiers had the same Pay they have now; it is true, it may be said, that this Body of Men did not cost so much, because there were no Guards among them; but I know, *Sir*, that 12,000 Men, Guards and Garrisons included, were maintained at home for between 3 and 400,000 *l. per Annum*; out of which Sum were paid, the General's Money, Waggon Money, Contingencies, and all other *Items* whatever, any way appertaining to the Army. Considering the State this Nation is in at present, and the heavy Debts it is loaded with, I think no proper Method for saving the Publick Money ought to be neglected; if we must maintain an Army, let us maintain it at as cheap a Rate as possible. Even One Hundred Thousand Pounds *per Annum* would make no small Figure, if added yearly to the Sinking Fund: I hope, therefore, this Affair will be thought on, and taken into Consideration when we meet next Year. After which, the Question was put, and the Resolution agreed to.

Before the House received the Report from the Committee of Supply, Mr. P——y moved, That an humble Address should be presented to his Majesty, that he would be graciously pleased to give Directions to the proper Officers to lay before the House an Account of what Commissions in the Army and Governments of Garrisons, had been kept vacant, and what Savings had been made thereupon.

Sir W——m S——d said, No such Account had ever been kept at the War Office; the Custom there was, that when any Officer died, the Commissary certified his Death to that Office, in order that the Pay might be stop'd; and they never began to issue any Money upon that Account till a new Commission was lodged in that Office.

Sir W——m Y——ge said, That whatever Savings could possibly be upon that Account, amounted to such a small

small Sum, that it was a meer Trifle, and was not worth being taken any Notice of by that House.

Mr. P ——— said, That all the Time he had been in that Office, and he believed it was so still, none of those Commissions were ever kept vacant for any Time; it was always his Majesty's Custom to fill up every Commission in the Army immediately after it became vacant, so that there could be little or no Savings upon that Account; and if there was any, the Custom had always been to leave it to be disposed of by his Majesty in such Manner as he thought fit.

Mr. P ——— y. Sir, I made this Motion in a Manner by meer Accident; but I do not think it is any Argument against it to tell us, that the Savings amount to but a meer Trifle; we shall be best Judges of that when we see the Accounts laid before us; and let it amount to what it will, if it is saved, I will not say sunk, (being a hard Word) we ought to enquire into the Application of it. I believe there are not a great many Commissions kept long vacant, but I am sure there have been some that have been kept vacant for a considerable Time, we ought at least to have an Account of them; because I observe there is a Demand every Year brought in, which is called, an Account of Services incurred and not provided for; I think the most proper Way of answering this Account is, to have an Account of Services provided for and not performed. I am persuaded that in the Civil List Revenue there is not an Office vacant for a Day, but what the Savings thereby are brought to Account, and disposed of in the most frugal Manner; I think the same good Management ought to be observ'd in the Army.

General R ——— said, He supposed the same Method was observed now, that was formerly observed in *Flanders*; then he knew, that no Commission was ever kept vacant for any Time; as soon as ever the Death of any Officer was certified, a new Commission was granted to some other in his Place, and what little Savings could be made that way, were always left to the Disposal of the General, and were apply'd by him in such Manner as he thought most proper for the Publick Service.

Mr. B ——— tle. Sir, Whatever is given for the Maintenance of the Army, is a Part of the Publick Money, and it is our Business to call for the Accounts, and enquire into the Disposal of every Farthing of such Money.



Money. If the Savings by vacant Commissions have hitherto been well and properly apply'd, they who advised such Applications will have the more Honour, and if there have been any Mis-applications, this House ought to take a Care to prevent any such for the Future. In past Times the Savings upon this Account may perhaps amount to but a Trifle; however, it is certain, that considering the great Number of Officers we maintain, a very large Sum may be annually saved; and if we never call for any such Account, Commissions may in Time of Peace be kept vacant for a long Time, on Purpose thereby to raise Money in order to convert it to Uses that may be prejudicial to the Nation.

Sir R——t W——le. Sir, During all the Time that the Duke of Marlborough commanded our Armies, there was never any Commission became vacant but was immediately filled up: There was, indeed, generally about a Week allowed for the filling up of any Vacancy, but what was saved that Way was generally given to the Colonel of the Regiment, to answer some of the extraordinary Expences he was sometimes put to, or it was given to the Officer that succeeded, to defray the Charges he might be at upon Account of his new Commission. The same Custom is still observ'd, and any little Savings that happen between the Death of one Officer, and the putting of another in his Room, have always been dispos'd of by his Majesty in the Manner I have mention'd, or have been apply'd to Charitable Uses, and given in small Sums to those of the Army who stood in need of any such. I hope this House does not intend to take the Disposol of such small Charities into their own Hands, contrary to the Custom that has always hitherto been observed; I do not think that this House can be so good a Judge as a Board of General Officers in the Disposol of such Charities; and while it is left to his Majesty, he can always have the Advice of such a Board when any small Sum is to be dispos'd of in that Way. As to the Civil List, there are no Savings by any Vacancies in that Part of the Revenue; every Place is filled up as soon as it becomes vacant, in the same Manner as it is in the Army, the Management in both is the same, and in both there is as much Frugality as possible.

After this, the Question was put, and it was carried in the Negative.

On

On the 28th or *January*, Mr. *Winnington* presented to the House (according to Order) a Bill for the better securing and encouraging the Trade of his Majesty's Sugar Colonies in *America*, which was receiv'd and read the first Time, and order'd to be read a second Time.

Mr. A——n P——y. Mr. Speaker, this Bill now brought in is of such a Nature, that all our Colonies in *America* are some Way or another concerned therein; it is of the utmost Consequence both to the Trade and Navigation of this Kingdom, and therefore ought to be maturely considered, not only within Doors, but likewise by all those without Doors who understand any Thing of Trade, and have a Regard for the Prosperity and Welfare of their Native Country; and that all such may have an Opportunity of giving us their Sentiments upon this Occasion, I move that the Bill may be printed.

Which Motion was seconded and agreed to by the House, and the Bill was accordingly ordered to be printed.

Mr. W——n. Sir, As this Bill is of very great Consequence to the Trade of this Nation in general, and to the Well-being of our Settlements, either upon the Continent or in the Islands of *America*, we ought to consider the particular Trade and Produce of every one of our Settlements; and therefore, that we may have as much Insight into this Matter as possible, I move that the Representations sent over from our several Colonies, and laid before the Honourable the Commissioners of Trade and Plantations, may be laid before this House, before we go upon the second Reading of the Bill.

Mr. B——n. There have been, Sir, several Representations sent over to his Majesty from our Settlements in the *West-Indies*, which Representations have been referred to the Board of Trade to be considered by them, and for them to report their Opinion upon the Matters therein contained to his Majesty: Some of them we have already considered, and have given our Opinion upon them; but there are others that we have not as yet had Time so thoroughly to consider as to be able to give any Opinion upon them; however, Sir, in these last we shall make all imaginable Dispatch, and shall be ready to lay them before the House as soon as possible.

Mr.

Mr. A——n P——y. As this is an Affair, Sir, of so great Consequence, we ought not to be in any Hurry about passing the Bill; we must wait till we have all those Materials which are necessary for giving us a full Information in the Affair before us. There is particularly in the Bill, as now brought in, a Clause about Lumber, which in my Opinion will do more Harm to the Trade of most of our Colonies, and consequently to the Trade of this Nation, than all the other Clauses can do Good; but I shall have another Opportunity, I hope of giving my Sentiments fully upon this Head, and therefore I shall not trouble the House with them at this Time.

Mr. S——ds. Sir, This Bill was last Session of Parliament a long Time before this House; there is no Clause in the Bill now brought in, but what was in the former, and every one of them was then fully considered and particularly examined into. The Committee that was appointed last Session of Parliament for drawing up the Bill, were no less than three Months about it; in which Time they certainly had under their Consideration every thing that could possibly be thought of for giving them any Light into the Affair. I believe there is no Gentleman in this House, but what is persuaded, that some Measures ought to be taken, and speedily taken too, for giving an Encouragement to our Sugar Colonies, so as to enable them to carry on a Trade, at least, upon an equal Footing with their Rivals in the Sugar Trade. The only Reason of the Bill's not passing, that was brought in last Session of Parliament, was, that they had not had Time in the other House to consider the Affair so fully as they thought was necessary; I have been informed, that some of the Members of the other House even complained, that it was hard that we did not allow them three Weeks to consider of an Affair that we had been above three Months in examining into. As the Bill now before us contains nothing but what was in the former Bill, which was so fully consider'd as to pass through this House, I am therefore of Opinion, that there is no Occasion to make any Delay in the passing of this Bill, or to wait for any further Information in the Affair; for I am persuaded we can receive none, but what has been already laid before this House, and fully consider'd in the Passing of the former Bill.

Mr. O——p, Sir, In all Cases that come before this House, where there seems to a Clashing of Interests between



between one Part of the Country and another, or between one Set of People and another, we ought to have no Regard to the particular Interest of any Country or Set of People; the Good of the whole is what we ought only to have under our Consideration: Our Colonies are all a Part of our own Dominions; the People in every one of them are our own People; and we ought to shew an equal Respect to all.

I remember, *Sir*, That there was once a Petition presented to this House by one County, complaining, that they were very much injur'd in their Trade, as to the Sale of Beans, by another, and therefore they modestly pray'd, that the other County should be prohibited to sell any Beans.

Such things may happen, I hope it is not so at present, but in the Case before us, if it should appear, that all our Plantations upon the Continent of *America*, are against that which is desir'd by the Sugar Colonies, we are to presume, at least, that the granting thereof will be a Prejudice to the Trade or particular Interests of our Continent Settlements; and surely, *Sir*, the Danger of hurting so considerable a Part of our Dominions, a Part so extensive as to reach from the 34<sup>th</sup> to the 46<sup>th</sup> Degree of Northern Latitude, will at least make us incline to be extremely cautious in what we are going about.

I shall be as ready as any Man, to give all possible Relief and Encouragement to our Sugar Colonies; but if the Relief or Encouragement asked for, appear to be an Injury to the whole, or if it appears that it will do more harm to the other Parts of our Dominions than it can do good to them, we must refuse it; we must think of some other Methods for putting them upon an equal Footing with those who are their Rivals in any particular Branch of Trade.

We may form some Judgment, *Sir*, from the Appearances that were before us last Session of Parliament: but we may form a much more distinct Judgment of Things from what may be brought before us now. Some of those concerned here for our Settlements upon the Continent seem'd last Year to be indifferent, they seem'd in some Manner to give the Affair up, I believe without any good Authority from their Constituents; but now the Colonies themselves have had an Opportunity to consider the Affair then before us, and to send over their Thoughts upon the Subject in a proper and authentick

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Manner; their true and real Sentiments will best appear from the Representations they have sent over, and till these are laid before us, we cannot give our Opinions, either as to their Inclinations, or as to the Weight of the Objections that they may make.

I must say, *Sir*, to the Honour of the Gentlemen concerned in the Board of Trade, that they are as exact and as diligent in all the Matters which fall under their Province as any Board in *England*; they have much more Business than most others, and their Business will be daily increasing in Proportion as our Colonies increase in Riches and in Power. It is already one of the most useful Boards we have, and as long as the same good Conduct is pursued, it will always be of great Benefit and Advantage to the Trade of the *British* Dominions.

After this Debate, it was resolv'd, that an humble Address should be presented to his Majesty, That he would be graciously pleased to give Directions to the Commissioners for Trade and Plantations, to lay before the House, Copies of all Representations and Papers which had been laid before them, since the then last Session of Parliament, relating to the Dispute between his Majesty's Sugar Colonies and Northern Colonies in *America*.

*Mr. W*——*m* then moved, that the House would appoint a Committee to inspect and settle the Fees to be taken by all the Officers and Servants of their House, and to examine what Salaries, or Allowances they had from the Government, and to report the same, with their Opinion thereupon, to the House.

*Sir W*——*m Y*——*ge. Sir*, considering how much Business of great Consequence now lies, or may probably come before this House during the Course of this Session of Parliament, I do not think that we ought to take up the Time of the House with any Matters of such a trifling Nature. If any Complaint had been made to us of any Exactions or exorbitant Fees taken by any of our Officers or Servants, it would have been our Duty to have enquired into it, and to have given all proper Redress; but as there has been no such Complaint made, at least I have heard of none, I can see no Reason why we ought to enter at present into such an Enquiry.

*Mr. W*——*m. Sir*, I made this Motion, not expecting indeed that it would have been opposed by any Gentle-  
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man in the House, and therefore I did not think it was necessary for me to give any Reasons for making the Motion; but now that I am called upon, I must say, I believe, Sir, it is well known, that there are very great Complaints without Doors of the extravagant Charges and Expences that People are obliged to be at in passing Private Bills, or in carrying any other Business through either House of Parliament; I do not know where the Fault lies, perhaps it may be in the other House, but let them look to themselves, we ought at least to take a Care that there be no Ground for any such Complaint in our House. We are not to wait till a regular Complaint be made; few will venture to complain in Form, because no Man knows how soon he may be obliged to come back again; and when any Exactions are made, they are singly considered, so inconsiderable, that no Man thinks it worth his while to complain; but many Trifles amount to a Sum, and such Things generally grow worse when not look'd after and enquired into: If there be any Evil, what I have proposed will be an effectual Remedy; I shall be sorry my Motion is not agreed to; but I will at least have the Pleasure of having made it, and thereby done what was in my Power for preventing any Evil that may ensue.

Mr. S — r. I must say, Gentlemen, that since my Time, I know of no Exactions, nor any exorbitant Fees that have been taken; I have been as careful as possible in this Point, and have always made as close Enquiries as I could. I remember some Time ago, I found that a Guinea was usually given to my own Secretary, upon the giving out the Warrant for Writs, whereas the old Fee was but ten Shillings; I thereupon ordered expressly that he should not receive any more upon such Occasions than the old Fee of ten Shillings; and to prevent all Pretence of giving or taking what is commonly called Expedition Money, I ordered, that even this Fee should not be charged or paid till after the Election was made, and the Oaths taken upon the Return of the Writ. I likewise have observed that the Clerk of Committees usually got a Guinea in Place of the old Fee of 13 s. and 4 d. This I also have endeavoured to rectify, though it must be granted that in most Cases, even a Guinea is a Reward small enough for his Trouble and Attendance upon such Occasions. But I believe that this Motion was made, not so much on Account of any Abuses that have been lately committed, as to prevent any such in



Time to come, which ought to be every Gentleman's Care, and shall be mine in particular as long as I have the Honour to be in the Place where I am.

Mr. S——ds. I am persuaded, *Sir*, that it has always been your particular Care, that no Impositions should be made upon any of the Subjects, who have happened to have any Business before this House; and I believe no Gentleman thinks that we have any Occasion for such a Committee as has been proposed on Account of any late Exactions or exorbitant Fees; but now that an Enquiry into the Fees taken by our own Servants has been proposed, I am afraid it may be some Imputation upon us, not to agree to the Motion. Considering how many Years ago it is since the Fees to be taken by the Servants of this House have been settled, I do not doubt but that some of them may now be found to be too small; and if this Affair be referred to a Committee, I think they ought to increase those which they judge to be too small, as well as to diminish those which they may think extravagant.

Mr. Pl——r. *Sir*, I look upon this Motion to be a very proper one at present, and I hope the House will agree to it; because I think, *Sir*, we ought to search whether or know there be a Beam in our own Eye in order to pull it out, before we begin to pull out the Mote that is in another's. I presume the Honourable Gentleman who made this Motion, made it only as a Prelude to something of more Consequence; I hope, after we have examined into, and settled the Fees to be taken by our own Clerks and Servants, we shall next proceed to examine into, and settle the Fees to be taken by the Officers, Clerks and Servants of all our Courts of Law. As to the Fees of this House, I do not know what may be the Case, but I am sure that the other is a very great Grievance, and loudly complained of by the whole Nation. We have had printed Lists of all those Fees laid before us; as yet we have gone no further but only to receive them: But those who brought them in have gone a little further, they think they may now, by Authority of Parliament, exact all the Fees, at least, that are mentioned in those Lists, and from thence they have taken Occasion, even to encrease several of their Fees much beyond what they had formerly any Authority for; so that unless we proceed further, and make some proper Regulations as to all those Lists of Fees that have been laid before us, we  
have

have, by calling for them, done rather an Injury than a Service to our Country. I shall therefore be for agreeing to the Motion now made, on Purpose that we may with Decency proceed to the Enquiring into, and settling the Fees that are to be taken in all the Courts of Law, and other Offices in the Nation.

Mr. W——n. *Sir*, according to the Order of this House, a List of the Fees usually taken by every Clerk and Servant belonging thereto has been brought in, and has been, I believe, perused by most Members of the House. I do not hear that any Objection is made to any of them, or that it is pretended that more has been at any Time taken; I therefore do not see what Use there is for a Committee in this Affair; I believe if we order them to be printed, and Copies to be fix'd up in the publick Offices belonging to the House, it will be sufficient for preventing any exorbitant Demands in Time to come, and will be as effectual as any thing that can be done by a Committee. I suppose the Gentlemen have some further Design in this Matter; but if they have, I think they may proceed upon it without giving the House any needless Trouble as to the Committee now moved for.

Mr. P——y. *Sir*, I was not at all in the Secret as to this Motion; I did not know any Thing of what further Design there may be, so that I am sure I cannot in this Affair be any way a Blabber. I agree with the honourable Gentleman who spoke last, as to the ordering the List of Fees to be printed; let them be printed and published, and if my worthy Friend pleases, let them be printed in the *Free Briton* too: But I cannot think, *Sir*, that we ought to rest satisfied with the List delivered, without enquiring any further about the Matter; because a List of Fees has been delivered in, we are not surely from thence to conclude, that no greater Fee has ever been taken than what is mentioned in that List: Exactions are always made in a private clandestine Manner; such Secrets may be discovered by a Committee, but we are not to expect that ever the Authors of such will, in a publick Manner, come voluntarily and give the House an Information of the Crimes they have been guilty of. It is well known how terrible Parliamentary Enquiries are to those who have been guilty of any Iniquity; though by the Enquiry now moved for, no Iniquity shall be discovered, yet the Terror

ror of it will remain, and will be a Bar to Extortion for a long Time to come.

Upon putting the Question, it was carried in the Affirmative, and a Committee was accordingly appointed.

In our last Register we gave some Account of the Charitable Corporation, since which the Report of the Committee has been published: As it will be reasonably expected we should here take some Notice of it, but the same is vastly too long to be inserted at large, we shall give our Readers the Substance of it with as much Clearness as we are able from the Materials there laid down.

In the first Place the Committee give an Account of the Foundation of the Corporation, and the Powers by which they acted from Time to Time; and it appeared by reading of their Charter, and their several Licenses, that they were the 22d Day of December, 1707, incorporated by the Name of *The Charitable Corporation, for Relief of Industrious Poor, by assisting them with small Sums upon Pledges at legal Interest*, and impowered to raise a Fund not exceeding 30,000*l.* but with Power given to increase the said Capital by License under the Privy Signet, and Sign Manual.

On the 22d Day of June, 1722, upon the Petition of the said Corporation, alledging, that by Reason of the present State of Trade, and the great Want of ready Money, 30,000*l.* would by no Means be sufficient to support the Charge, and to answer the good Ends and Purposes of the said Corporation, and that their Fund had never been Stock-jobbed as other Funds then had been, to the great Detriment of the Publick Credit, a License was granted by his late Majesty to increase their Capital to 100,000*l.*

On the 21st Day of June, 1728, upon another Petition to his said late Majesty, alledging that they had compleated their Fund of 100,000*l.* pursuant to their last License, and had lent the same upon Pledges according to their Charter, to the great Relief of his Majesty's Subjects, and that they found by Experience, that such their Lending would be of great Benefit to Trade and Manufactures if their Fund was greater; and upon an Affidavit of *William Oaker, Esq;* then one of the Committee, a further License was granted to encrease their Capital to 300,000*l.*

And upon the 31st Day of July, 1730, upon a like Petition and Allegation, supported by an Affidavit made by



by *William Burroughs*, Esq; another Licence was granted by his present Majesty, for increasing their Capital to 600,000 l.

The Committee observe a Difference between the Applications made for the first Licence, and the two last; the first being made by the Order of a General Court, and sign'd by their Secretary, and their Seal set thereto, whereas the two last were not signed by any Person, and were apply'd for in a clandestine Manner, without the Privy or Consent of a General Court, or so much as a Court of Committee.

By the Charter, a Committee of seven Persons were appointed to manage the Affairs of the said Corporation, who were to be sworn, and continue, during such time as the Members of the said Corporation assembled in a General Court, or the major Part of them should order and appoint, and three of them were to be a *Quorum*, and were empower'd to treat of all Things for the Management and Benefit of the said Corporation.

That Courts of Committee were to be held such Days as should be appointed by the General Court; that Cashiers, Book-keepers, Warehouse-keepers, and other inferiour Officers, were to be chosen by the General Court, and were to proceed under certain Rules, as to their lending.

That the said Corporation, or the major Part of them, assembled in such their General Court, shall have the Management, and Direction, of the Affairs and Business of the said Corporation, according to the Rules and Directions mention'd in their Charter, and according to such other Rules, Orders, By-Laws, and Ordinances, as shall be agreed by the Members of the said Corporation, or the major Part of them so assembled.

That the Corporation shall not deal in Banking, or any ways use the Banking Trade or Business; nor shall upon their Common Seal, nor by their Cashier, Officers, or Servants, or any other Person in their Behalf, give or issue out any Bills or Notes, payable upon Demand, for Loans of Monies, with or without Interest, except such Notes, as shall be given by the Cashier of the said Corporation for Monies to be lent by the said Corporation upon Goods to be pawned to them; nor shall advance or lend any Monies at Interest, upon any Pretence whatsoever, except upon their own Joint Stock or Fund.

From

From the Time of granting the said Charter, until the 26th of *June* 1718, little was done: But on the said 26th of *June* divers Officers and Agents were chosen by the said General Court, and the Committee appointed to settle and regulate the Salaries of the said Officers; and on the 20th of *March* 1718, the Committee reported, to a General Court then held, divers Methods for establishing the said Corporation; which were agreed unto.

Soon after, the Corporation, finding their Fund not sufficient to answer the Purposes of their Charter, solicited and obtained the first License, as aforementioned; but little was done upon that likewise, until the 26th of *October* 1725, when a new Committee was chosen of Sir Robert Sutton, Sir John Meres, Dennis Bond, Esq; Archibald Grant, Esq; now Sir Archibald; Joseph Gascoigne, Esq; Sir Fisher Tench, Baronet, and William Oaker, Esq; at which Time the Corporation began to enter upon full Business.

By a General Court of the 2d of *November* 1725, the Powers establish'd the said Court by Charter, to chuse Officers, and to perform all other Matters relating to the Corporation, were devolved on the Committee.

[This Power so devolved, was carry'd by them so far as to do many Things which ought not to have been done without a General Court, and was the first Step to the great Mischiefs that have ensued.]

The Corporation being thus enter'd upon Business, got Licenses to enlarge their Capital as above, and it appears, that towards the Capital of 600,000 *l.* there was paid 353,817 *l.* 10 *s.*

The Committee proceed to lay down the Methods appointed by the Charter, or otherwise, for pledging Goods, and lending Money on Goods so pledged.

The Charter directs the several Pledges to be enter'd in a Book to be view'd Gratis, and kept and preserved by the Warehouse-keeper for that Purpose; that the Corporation should keep one or more Register or Enttring-book, wherein should be fairly written the Names, Natures, Kinds, and Quantities of such Goods, Pawns, or Pledges, as shall be brought by any Borrower to be pawn'd; and that such Goods should be carefully preserv'd and kept by the Warehouse-keeper, or Warehouse-keepers, in convenient Warehouses or Places within the Bills of Mortality; and that a reasonable Value of such Goods shall be agreed and settled by and between the  
Borrower

Borrower, and Warehouse-keeper; whereby it may appear that such Goods are a sufficient Security for the Sum lent upon the Pledge, together with the Interest that should grow due.

That such Warehouse-keeper should from Time to Time give Notes in Writing to every Borrower, expressing and describing the aforementioned to be the agreed Value of the Goods so pledged, and also mentioning the Sum of Money which should be then lent upon such Goods; and that all Notes so given to such Borrower, as aforesaid, should be enter'd in some Book to be kept for that purpose by the Book-keeper of the said Corporation.

That after such Note should be so made, the Borrower shall bring such Note to the Cashier of the said Corporation, who shall file the same, and pay the Money, and also give another Note for and on the Behalf of the Corporation to the Borrower, entitling him, or the Bearer of such Notes, to the Redemption of the Goods so pledged, upon repayment of the Principal Money and Interest.

That when any Borrower shall offer to pay the Money lent to him, and Interest, as aforesaid, he shall deliver up his Note given to him by the Cashier, and take back the Note, that shall have been first given by the Warehouse-keeper; and upon redelivering the same to the Warehouse-keeper, with a Receipt thereupon endorsed, for what Goods shall be then redelivered, the Borrower shall have his Goods again.

That as often as Goods by failure of Redemption shall become forfeited, they should be sold by Way of Auction, and publick Notice first given thereof; and if upon such Auction there remain a Surplus of Money, more than will pay the Principal and Interest, and reasonable Charges, it shall immediately be paid to the prime Owner, or the Bearer of the Note given by the Cashier.

That the said Corporation shall have Power to have as many Warehouses within the Bills of Mortality, as they shall think fit.

But these several Rules prescribed by their Charter for pledging of Goods, (however well adapted for the Purpose) have been either explained away by Courts of Committees, without the Approbation of General Courts, or else totally neglected, which has been one of the great Causes of the Mischiefs, which have ensued.



[The neglect of these Rules was the second Step to the Ruin of the Corporation.]

On *November 18, 1725*, *John Thomson* was chosen Chief Warehouse-keeper, and an Assistant Warehouse-keeper, a sufficient Clerk in the Warehouse-keeper's Office, and a Surveyor of the Warehouse were appointed; but the latter only was chosen. The Surveyor of the Warehouse was, by his Office to come every Evening into it, and examine the Pledges taken in that Day; and to see whether any of them were deficient as to the Value set upon them, and paid by the Corporation. Had this Officer been kept up, it would have rendered it impossible for the Warehouse-keeper to have wrong'd the Company, when so constant a Watch was over him. Besides this, it was order'd, first, that the Cashier, afterwards, that the Accomptant, should have a Key of the Warehouse, and upon the paying Money for any Pledge of Goods, should see the Goods put into the Warehouse, and not suffer them to be taken out without Repayment of the Money lent upon them by the Corporation. These two Checks upon the Warehouse-keeper seem'd to have been so well contriv'd, that no Prejudice could, in human Probability, have arisen to the Company, if they had been observ'd. But in a Twelvemonth afterwards, *Mr. Clarke* the Surveyor having given Information of the insufficiency of Pledges, was discharged at the Request of *Thomson*, and no such Surveyor was ever afterwards appointed. Besides this, the Accomptant was in some Time order'd to give his Key to the Messenger; and upon the Removal of the Corporation to *Laurence-Pountney-Hill* from *Fenchurch-street*, no Care was taken to give the Messenger a new one; so that only *Thomson* had a Key to the Warehouses there, by which Means he was left sole Master of them, and at Liberty to do what he thought fit; and if he could invent any Methods to cheat the Corporation, the Opportunity and Temptation was put into his Hands. Accordingly, he did not fail to make Use of them; and the Method he took to that Purpose, was as follows:

The Method laid down by the Corporation to proceed by, when Persons came to borrow Money on Pledges of Goods, was this. The Borrower sign'd a Bill of Sale, by which (acknowledging the Receipt of the Money so borrow'd) he transferred his Property in the Goods pledged to the Corporation, allowing them to sell the same, if they were not redeemed by such a Time. This

was

was transacted with the Warehouse-keeper, who upon this gave the Borrower a Certificate, that the Goods were a sufficient Security for the Sum borrowed; which Certificate being carried to the Cashier, with the Bill of Sale, was his Voucher, for the Payment of the Money borrow'd. The Money being receiv'd by the Borrower, and a Receipt taken for the same, a Defeasance was exchanged between the Borrower and Cashier; by which the latter gave a Power of Redemption of the Goods to the former, provided it were done in such a Time, and with Repayment of the Money lent, with Interest and Charges; and the former gave the latter a Power to sell the Goods in such a Time, if they were not redeem'd, the Surplus going to the Borrower. This was the Method of Proceeding on these Occasions.

From this Account, it will be easy to conceive, that the Warehouse-keeper (having all Checks taken off him) might get what Money he pleas'd of the Corporation's whenever he had a Mind. For Example, suppose he had a Mind to get 500 *l.* In this Case he had nothing to do but to take a blank Bill of Sale, of which he had always Numbers by him for Use, and to fill it up with an imaginary Parcel of Goods, and to sign it with a fictitious Name. After this, he was to fill up a Certificate, as abovemention'd, sign'd by himself, that he had receiv'd such Goods, and that they were a sufficient Security for the Money; and this fictitious Certificate being brought to the Cashier, the Money was paid him, and the Corporation was robbed of so much. And this very Thing was actually done over and over, to the ruin of the Corporation, which could not once have happened, had not those Checks upon *Thomson* been taken away.

Before I proceed with the Relation, I would observe farther, that the want of these Checks, as it gave the Warehouse-keeper an Opportunity to rob the Corporation; so in Case of a wicked Agreement between him and the Cashier, it was as easy for him to assist the Cashier also in plundering the Company. For these fictitious Certificates being the Cashier's Vouchers, were capable of being made Money of to the Cashier, as well as to the Warehouse-keeper. For Example, if the Cashier had run out 1000 *l.* of the Company's, upon Projects or Expences of his own, the Warehouse-keeper, if there were an Understanding between them, had nothing to do but to send him one or more of the abovemention'd fictitious Certificates to the Value of the Sum

he wanted; which would give the Cashier Credit in his Accounts with the Company for so much Money, as he had imbeziled, or unlawfully laid out of theirs, and set *Him* quite right; tho' it would be indeed to the Loss of the Corporation of just so much Money, as that fictitious Certificate gave him Credit for in his Accounts. This also was actually done, and to the Amount of very great Sums which are known, besides others that are unknown; after which, it was no Wonder at all if the Warehouse-keeper and Cashier disappeared in one Day; when there had been so wicked a Design carried on between them.

It is true, all these Things could not have lasted long, had the Directors of the Corporation diligently and frequently examined the Accounts of the Company; but this seems to have been little or not at all regarded by them.

Other Steps, taken by the Directors of the Corporation seem'd as if they were contriv'd to assist *Thomson* in carrying on his Designs. For, whereas by a former Regulation, it was order'd, that no Sum above 1000 *l.* be lent upon any one Pledge; it was order'd, November 8, 1726, that the proper Officers, with a Warrant under the Hand of one of the Committee, or Assistants, might lend above 1000 *l.* upon any one Pledge. And thus, upon an Understanding between *Thomson* and any one of the Directors, it was easy to draw out what Sums of Money they pleas'd. And in July 1727, it was order'd, That Mr. *Thomson* might lend upon his own Authority, as far as 2000 *l.* and with the Approbation of the Committee, a greater Sum. And thus his own private Opportunities of robbing the Corporation were increased upon him; and with the Assistance of a reigning Director, he was enabled to make as large Draughts on the Company's Cash, as they should think proper.

Another Step was taken by the Committee of the Corporation, which very much tended to hasten the Ruin of the Corporation. For on November 18, 1726, an Order was made, that all Borrowers might negotiate their Business with the Corporation, either by themselves, or such Brokers, as they should think proper; and *Thomas Warren*, and *Richard Woolley* were appointed by the Committee of Accounts to be Brokers, and Advertisements were made publick for that Purpose. The Consequence of this was, to give *Thomson* and his Accomplices, a still more convenient Opportunity of ex-

cuting



cutting their villanous Purposes. For, tho' by what has been said, it would be easy for them to get considerable Sums of the Corporation's Money; yet to have emptied so large a Stock as 353,000 *l.* could have scarcely been brought about without this very Method that was put into their Hands. For to have drawn extremely large Sums at once, might have give Occasion to Enquiry, and awakened some or other of the Directors to look into their Affairs. And to have found fictitious Borrowers for a great Number of small Sums, would have been difficult without running too great Hazards of Discovery, from some who might have thought it worth their while to make it. But now every Thing was easy; for *Woolley* and *Warren* having Powers by their Office to borrow what Sums they pleas'd, and as often as they thought fit, there was nothing to do but to let them into the Secret, and get them to join in it; which is what the House of Commons found was actually done, as appears by their Resolution in Relation to them. And thus some of the Accomplices in this Design being qualified to borrow the Company's Cash, and the others as willing to lend it, every Thing pass'd without Examination, and they were all at full Liberty to play what Game they pleas'd. And it appears by the Books of the Corporation, that no less than 204,902 *l.* is charged therein, as lent in the Name of these two Persons; 12,000 *l.* in the Name of *John Thomson* and *George Robinson*; and 45,589 *l.* in the Name of under Officers of the Corporation, at the Command of those above them; for the far greater Part of which, it is supposed no substantial Security was ever pledged. The Evidence of all this appears in the following Examinations; in perusing which the Reader will find this general Relation here premised, of some Service for the clearer Understanding of them.

The Committee perceiving by the General Account laid before them, that a very large Sum amounting to 396,060 *l.* 11 s. 8  $\frac{1}{4}$ , was charged to have been lent on Pledges, proceeded to enquire into the Reality thereof; and Mr. *James Milne*, and Mr. *Thomas Leafe*, being severally examin'd, said, that they were, upon *Thomson's* withdrawing himself, appointed with others to take an Inventory of the Goods at the Charitable Corporation House on *Laurence-Pountney-Hill*, and the Out-Warehouses belonging thereto; and that they made a Computation of such Goods as had Pledge Numbers and  
were

were redeemable, which amounted to about 25,000*l*. Principal Money; and such Goods, for which no Pledge Numbers could be found, were appraised and amounted to about 15,000 *l*.

And *Thomas Leafe* farther said, that, to the best of his Knowledge, Goods had not laid longer than two Years without being renewed, and paying the Interest and Charges.

*Thomas Warren* said, that *Richard Woolley*, and he, had been employ'd by the Corporation, as Assistants to the Warehouse-keeper, to lott out Goods for Publick Sales; That when he first attended, Goods were chiefly pledged in the Examinant's, and *Woolley's* Names, and frequently unknown to them: That they were permitted by a Committee of Accounts to disperse Hand-bills, importing, that Persons applying to Messieurs *Woolley* and *Warren* might have their Goods pledged with the utmost Dispatch and Secrecy; and pursuant thereto their Names were made use of as the nominal Pledgers; that when the Examinant pledged any Goods for any Person, he receiv'd 5 *s. per Cent.* Commission for so doing, and delivered the Deafeazance on such Bill of Sale to the Person the Goods belonged to; but that Numbers of Pledges have been made in his Name, which he knew nothing of, or ever saw the Goods; that he has been frequently sent for by *Mr. Tench* to sign Bills of Sale, Weeks after the Money had been received by *Thomson*; and at the same time asked *Tench* if Goods were deposited for them; *Tench* reply'd, he could not tell, *Mr. Thomson* brought them to him: Upon which the Examinant asked *Thomson*, if there were Goods to answer such Bills of Sale: *Thomson* reply'd, they were in Warehouses abroad, that they had great Numbers of them, and shewed him a great Number of Keys labelled, which *Thomson* said belonged to Out-Warehouses.

The Examinant farther said, that one *Mr. Jones* had an Office likewise there, and that his (*Jones's*) Servant signed such Bills of Sale; That the Examinant has not signed Bills of Sale for two or three Years past, or ever gave *Francis Thomson* Leave to sign any Bill of Sale for him: That he did once pledge Woollen Goods on his own Account for 500 *l*. which were deposited in the Office, but never knew of any fictitious Pledges in his Name.

And said, he pledged for *Mr. George Robinson* sundry Goods in the Names of the Examinant and *Woolley*, of a large Value; but they were a sufficient Security for the

the Money borrow'd on them; That the Corporation had lent more than two Thirds of the Value on Goods, and particularly on Plate at 5 s. per Ounce.

Mr. Richard Woolley being examin'd, said, That about September or October 1727, he, and Thomas Warren, were appointed by the Committee of the Charitable Corporation to be Assistants to Thomson their Warehouse-keeper at publick or private Sales: That he acted-as a Broker for Persons that wanted to borrow Money of the Corporation, and generally took 5 s. per Cent. for so doing, and has not attended, or acted as a Broker at the said Office for three or four Years past; That he has frequently had Commission from the said Borrowers to sell Goods out of the Office at private Sales; That, when the Goods have been pledged in his Name, and with his Privy, he always gave the Defeazances to the Borrowers; That he seldom received any ready Money on Pledges; but sometimes his Servant, and generally the Person he pledged for, received the same, and his Name has been frequently made Use of to screen the real Borrowers; That Bills of Sale have been made out in his Name, when he has known nothing of it; he has signed Bills of Sale frequently at Thomson's Request; and has been called on by the Cashier to sign Certificates a Fortnight or three Weeks after the Cashier had paid the Money to Thomson, as the Cashier informed him; That he never took away any Defeazances, unless the Goods were pledged by him; and remembers but few Pledges that exceeded 4 or 500 l. That he has pledged Goods of his own, and his Servant received the Money; That he never scrupled signing any Bill of Sale or Defeazance, when Thomson required him; but never had any Consideration for so doing; That he believed Sir Archibald Grant, Mr. Squire, and most of the Directors, knew that he sign'd his Name without seeing the Goods, particularly Mr. Squire; That he never sign'd a Blank Bill of Sale; That when he has sign'd Bills of Sale, he did not know they were fictitious, Thomson saying, That he had Goods sufficient to answer the Money lent: And being shewn a Bill of Sale signed with his Name, he said, he did not know the Hand: And he further said, that he never gave Francis Thomson, his Servant, leave to sign Bills of Sale in his Name, or ever knew that he did; That he the Examinant believes, that Mr. Squire, Mr. Burroughs, and Sir Archibald Grant, must know, that Bills of Sale were signed, for which there were  
no



no Pledges; and that he has often asked Mr. *Squire* (who lodged with him) whether there were real Pledges to answer the Money lent, who said, Mr. *Thomson* was a very honest Man, and in good Circumstances, and that there were sufficient Pledges in many Out-Warehouses; That he has known Goods of *David Avery's* pledged in his and *Warren's* Names, which were not at the Office at the Time of pledging, but has afterwards seen large Quantities of Hollands and Cambricks brought to the Office, which he believed were *Avery's*, or the Person's he was concerned for.

The Committee think proper to observe, notwithstanding the Declaration of the said *Woolley* and *Warren*, large Sums of Money appear to be lent in their Names, for which there are no Pledges.

*Francis Thomson*, Servant to *Richard Woolley*, being examined, said, That in the Month of May 1729, he, by the Order of *John Thomson*, signed twelve or fourteen Blank Bills of Sale, Defeazances, and Receipts for Messieurs *Woolley* and *Warren*, the said *Woolley* being then Partner with *Thomson*; and the Pretence was, that if the Examinant was out of the Way, and the Person should come to renew a Bill of Sale, it could not be done. He further said, That he had signed fifty more for any Names *Thomson* pleased to order him, and remembers two of them were in the Names of *Thomas Warren* and *George Cruikshanks*, who lives at *Petersburgh*: That *Woolley* has been in the Room, and also Captain *Burroughs*, and Mr. *Squire*, when he has signed such Bills of Sale; That *John Thomson* used to sign the Certificates to the Cashier for the Payment of Money to himself before the Bills of Sale were signed; and that Mr. *Tench*, then Cashier, has sent for the Examinant to sign the Bills of Sale three or four Days after *Thomson* had received the Money on such Bills of Sale; That being asked, if real Goods had been pledged for the Bills of Sale he had so signed, he answer'd, he could not say, there were real Goods pledged; and several Receipts signed, being shewed the Examinant, and asked, if he knew the Hand, he said, it was *David Avery's*.

*David Avery* being examin'd, said, That he has pledged Goods in the Names of *Woolley* and *Warren*, and other Brokers, for large Sums of Money, to the Corporation: That he has signed Defeazances for the Renewal of Goods at *Thomson's* Request, but never saw the Goods; That he has borrowed to the Amount of 16 or 20,000 l.

upon

upon real Pledges, and had Defeazances for such Goods; That from the 28th of July 1727, to the 17th of July 1729, he pledged sundry Goods in his own Name, which were deposited in the Company's Warehouse; and he never made up any Account upon Redemption but with *Thomson*; That he never paid any Money to the Cashier, or settled any Account with him, but has received Money from him; That he has given Leave, at *John Thomson's* Request, to *Francis Thomson*, to sign Bills of Sale, Certificates, and Defeazances in his Name; and the said Defeazances have been delivered to *John Thomson*, and he has impowered the said *Thomson* to sell his Goods, or any Part of them, by publick or private Sales, and has left Bills or Parcels with them for that Purpose; and that the said *Thomson* would never deliver his Goods without having Money or Bills on such Persons, as he liked, or an Exchange for other Goods of the same Value; That the said *Thomson* generally made up the Examinant's Account of Interest and Charges on Redemptions, and received the Money; but sometimes, when busy, would send his Servant to the Accomptant, to make it up; but *Thomson* received the Money, and delivered the Goods.

An Account being shewn him of Goods pledged in his Name amounting to 16,084 l. 3 s. 8 d. he said, That to the best of his Knowledge there were real Pledges for that Sum, but added, That he had signed Bills of Sale at *Thomson's* Request, when he did not know that there were real Goods for such Pledges; and that he has borrowed Money upon Pledges in his own Name, when the Pledge has been other People's, and has given them Money, and Defeazance; That he has several Times renewed Pledges, and has paid the Interest and Charges due thereon; and said, that if the Goods are not to be found in the Warehouse, that he pledged, they must have been sold, or otherwise been disposed of, he often having left Defeazances in *Thomson's* Hands to impower him to sell the Goods.

A Bill of Sale being shewed him, he owned, he had signed it, but did not see the Goods specified in the said Bill, and is not sure, but they may be the same Goods, which were about three Years ago pledged to the *Sword-Blade Company* at 11 per Cent. Charges included, the Defeazance for which he gave to *Thomson*, and desired him, if he found them a Security for more Money, to redeem the same, and let him have the Surplus; and

some Time after *Thomson* told the Examinant, he had redeemed them; and the Goods were sold, but the Surplus is not accounted for.

[*To be continued in our next.*]

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## F R A N C E.

**I**N our last Register we gave an Account, that an *Arret* of the King's Council had been made for suppressing an *Arret* of the Parliament of *Paris*, and that his Majesty had order'd a Deputation of their Members to come to him, who accordingly went the 16th of June N. S. and had an Audience the next Day. When they were introduced, they found in his Majesty's Apartment the Duke of *Orleans*, the Duke du *Maine*, the Prince de *Dombes*, the Count d'*Eu*, the Cardinal de *Fleury*, the Chancellor, the Duke de *Charost*, the Duke de *Bethune*, the Duke de *la Tremoile*, the Duke de *la Rochefoucault*, and the Marshal de *Villars*: The King said to them, *I sent for you to hear the Arret of my Council read*: Then turning to the Secretary of State, his Majesty said, *Maurepas*, read it: Which when he had done, the King added, *I will suspend the greater Effects of my Resentment*: I order you to continue the Administration of Justice to my Subjects; and I will severely punish those who shall disregard me, and disappoint my People. Then the Count de *Maurepas* delivered the *Arret* to the First President; whereupon his Majesty addressed himself to him, and said, *I charge you, Mr. First President, to see that this Arret be transcribed at the Foot of that of the Parliament of the 13th Instant. I defer for this Time the Effects of my just Displeasure with my Parliament, which has been disobedient to me: Go and mind your Business*. The First President offered to make some Reply; but the King said to him, *Hold your Tongue; Be gone*. And all the Deputies withdrew accordingly.

As this *Arret* of his Most Christian Majesty's Council is something extraordinary, we shall present our Readers with a Copy of it.

THE



THE King having thought fit to give some Orders to his Parliament of *Paris* the 10th and 14th Days of May last, which, without the least Derogation from the Rules established by the Ordinances and Maxims of the Kingdom, concerning Appeals, and without taking the Cognizance thereof from the Parliament, was intended only to oblige that Assembly to give the King an Account of every thing relating to the present Affairs of the Church, before they took any Resolution thereupon; to the End that his Majesty might be in a Capacity to declare his Intention concerning what he should judge necessary for the Preservation of the Publick Tranquillity: His Majesty has heard, that the said Parliament, after several Steps, which were unjustifiable, were arrived to such a Pitch of Extravagance, that contrary to the Orders they had twice received from his Majesty's own Mouth, they published an *Arret* the 13th Instant, concerning the Mandate of the Archbishop of *Paris* of the 27th of April last, suppressing the *Church News*; that by this *Arret* they admit his Majesty's Attorney-General as Appellant from the said Mandate, not only without the Conclusions of the King's Advocates, but also in spite of their formal and repeated Refusal to make any; and that, in Consequence hereof, they by the same *Arret* forbid the said Mandate to be put in Execution, or any Copies thereof to be sold or dispersed, upon such Penalties as they should think convenient, till such Time as the said Court should give farther Orders in Relation thereto; and this *Arret* was printed the same Day, by Order of the Assembly.

After such a notorious Disobedience on the Part of those, who receive from the King a Ray of his Authority, for no other Purpose than to obey it themselves, and to see that the rest of the Subjects obey it; his Majesty cannot defer the demolishing and disannulling of all Attempts against his Authority: And being willing to make Provision herein, having examined the *Arret* of the 13th Instant, and consider'd every thing, his Majesty being in his Council, annuls and makes void the said *Arret*, declaring the same to be null and of no Effect, as issued against the King's known Intention; together with all that has been, or may be done in Consequence thereof: Ordains, that the printed Copies of that *Arret* shall be and remain suppressed, and that the present *Arret* shall be immediately transcribed into,

the Registers of the Parliament, at the Foot of the Minute of the said *Arret* of the 13th Instant. His Majesty enjoins the First President of the said Parliament, personally, and in his own particular Name, to see this done, and to send his Majesty an Account thereof; forbids all and every Officer of the Parliament to propose any Thing contrary to the present *Arret*, upon pain of Disobedience, his Majesty's Displeasure, and Deprivation of Office, for such as shall transgress the same. And the present *Arret* shall be read, published, and stuck up where-ever it shall be necessary. *Done in the King's Council of State at Compeigne, the 16th Day of June, 1732.*

*Sign'd,*

PHELYPEAUX.

Notwithstanding this haughty Language, yet the Parliament resolved to stand by and defend the Liberties and Privileges of their Country: On the 20th, the Great Chamber began to assemble at Five o'Clock in the Morning, and at Seven all the Doors were open'd to give Audience, but there appear'd no Advocates to plead, tho' several Causes were to have come on, so that the First President was obliged to dismiss the Audience, which was very numerous, and at the same Time he sent for the Chambers of *Enquetes* and *Requetes*, who immediately repair'd to the Great Chamber, where, as soon as they had taken their Seats, the First President gave the Assembly an Account of what had passed at *Compeigne* the 17th, the above *Arret* of the King's Council of State being first read; but as soon as this was done, the Gentlemen of the *Enquetes* and *Requetes*, without speaking one Word, made their Reverence to the First President and the Great Chamber, and went to their respective Chambers. This sudden Departure and profound Silence were very astonishing to the First President and the Counsellors who staid with him; however, he executed the King's Order, by inserting at the Foot of the forementioned *Arret* of the Parliament of the 13th, the said *Arret* of the King's Council of the 16th. The Five Chambers of *Enquetes*, and the two of *Requetes*, being returned to their proper Chambers, and having taken their Seats, they took into Consideration what they had heard from the First President, and unanimously resolved to resign their Places to the King, and to carry the Instrument of their Resignation to the First

First President. This Resolution was immediately executed; their A<sup>c</sup>t of Demission was drawn up in the following Words, *viz.*

‘ We the Presidents and King’s Counsellors, ‘in the  
‘ Court of Parliament, most humbly beseech the King to  
‘ be pleased to accept the Demission which every one of  
‘ the Presidents and Counsellors make him by these Pre-  
‘ sents, of the Offices with which it has pleased our said  
‘ Lord the King to honour us.

This A<sup>c</sup>t was signed by 166 Members, and about Noon those Gentlemen went in a Body to the First President’s House to present him this their Resignation; but the First President told them, that he had no Orders to receive their Resignation, and therefore he could not take it upon him to accept of it. Upon this the Gentlemen return’d to their respective Chambers, and came immediately to a Resolution to deliver or send their Resignation to the Chancellor by Way of Letter, without assigning any Reason for such their Resignation; which Resolution was immediately executed, and the following Letter was wrote and sent to the Chancellor, *viz.*

My Lord,

BEING charged by the Counsellors of all the Chambers of *Enquetes* and *Requetes* to deliver to you the A<sup>c</sup>t hereunto annexed, we came this Morning to have the Honour of acquitting ourselves thereof; but not having the Happiness to see you, we take the Liberty to send you the said A<sup>c</sup>t. We have the Honour to be, with the most profound Respect,

Signed,

The Presidents and Chambers of the  
ENQUETES and REQUETES.

When the Gentlemen of the *Enquetes* and *Requetes* went to the President’s House with their Resignation; they were followed by a prodigious Crowd, which had got together in the Halls of the *Palais*, quite to the President’s House, praising and blessing them for their Steadiness and Resolution in protecting and defending the Privileges of the People, the Prerogative of the King, and the Rights of the Church, and all crying aloud, That they followed the Parliament as the Fathers of the People. And the President *Pelletier*, and several Counsellors having met in the Great Chamber that Afternoon,



noon, to hear the Reports of Causes, the Audience was no sooner opened, than a great Number of People, among whom were several Gentlemen with Swords by their Sides, without any Ceremony or Respect for that awful Tribunal, fell a hooting and hissing at the Court; and notwithstanding all that the Doorkeepers could do to prevent it, they went on with their Din and Noise, and throwing Reproaches upon the Gentlemen who had assembled, till the Court was obliged to break up.

Among those that did resign, was *Monsieur Portail*, the first President's Son, who is himself a President à *Mortier*, of whom it is said that the first President, his Father, talking to him about the Affair of his Resignation, asked him gravely, Whether he intended to live without an Office? To which the young Gentleman briskly answer'd, It is better, *Sir*, to live without an Office, than without Honour.

Upon the 21<sup>st</sup> of *June* the Chancellor presented the above Act of Resignation to the King; and the same Day the Great Chamber being assembled, received very early in the Morning, the following *Lettre de Cachet*.

**I** Write you this Letter, to tell you, that my Intention is, that all Affairs being at a Stand, you come to me on *Saturday* the 21<sup>st</sup>, to receive my Commands at Six o'Clock in the Evening; and I forbid you to go to the Parliament, or to meet elsewhere, in any Place whatsoever, before you have received them, upon Pain of Disobedience; and so, &c. *Compiègne, June 20, 1732.*

In Obedience hereunto, the Gentlemen of the Great Chamber went that Afternoon to *Compiègne*, but had not an Audience of his Majesty till next Day. Upon their being introduced, the first President made a short Speech to the King, wherein he endeavoured to excuse, in some Measure, the Conduct of the Gentlemen of *Enquetes* and *Requetes*, beseeching his Majesty to suspend the Effects of his Indignation, and concluding, that as his Majesty was the Master of his Subjects, so he was likewise their Father. To which his Majesty made Answer, 'I am informed of what passed on *Friday*: You did well not to follow the evil Example. I sent for you, to tell you, that you should go on with the same Zeal to administer Justice. I will, at your Request, give some Days Time to those whose Resignation I have, that they may return to their Duty; which if they do not, there is no Hope

‘ of Pardon, and they shall feel the Effect of my Resentment as long as they live.’

While these Things were transacting, there were two Conferences held between the Cardinal *de Fleury* and the Keeper of the Seals, &c. on the one Part, and the Gentlemen of the Great Chamber of the Parliament on the other; the first of which was held on the 21st in the Evening, and the second on the 22d in the Morning before the Gentlemen of the Great Chamber had their Audience of his Majesty. At the first of these Conferences the Ministers of State launched out, and inveighed without Measure against the Conduct of the Gentlemen of the Seven Chambers in abdicating their Offices, and said, among other Things, That they must be treated in a Manner that will serve for an Example to all Posterity; for in short they deserve to be prosecuted, and their Estates to be confiscated.

The Gentlemen of the Great Chamber on the other hand justified the Conduct of their Brethren, and peremptorily insisted upon Freedom in voting; alledging, that that Privilege ought to remain entire in the Parliament, and complained much that two of their Brethren had been banished, only for giving their Advice as they thought themselves obliged in Honour and Conscience to do. The Cardinal and his Associate, Monsieur *de Chauvelin*, denied that those two Counsellors were banished for speaking their Sentiments with too great Freedom, but pretended that the King had other Reasons for punishing them; however, they did not think fit to explain what those Reasons were, and in that unhappy Country they cannot be obliged so to do.

The second Conference was held next Morning at the Cardinal's, when his Eminency had the Chancellor *Daguesseau*, as well as Monsieur *Chauvelin* with him. At this Conference several Expedients were proposed, but they broke up without coming to any final Resolution; and the Gentlemen of the Great Chamber were then conducted to the Audience of his Majesty, who made them the Speech above-mentioned.

On the 23d they returned to *Paris*, and the First President went directly to the Archbishop of that City, to conferr with him upon the same Subject; after which he communicated to the Chambers of *Enquetes* and *Requetes* what had passed at *Compiègne*, and also what had passed between him and the Archbishop of *Paris*. He told them, that his Majesty had not yet accepted of their

Resig-

Resignations, but proposed, that if they would resume their Offices, he would, in Consideration of that Testimony of their Obedience, permit them to draw up a Memorial or Manifesto, to explain the Reasons of their Conduct; and that the Archbishop proposed to put out another Mandate to explain the former. As to this last Proposal, they answer'd, that it was not sufficient, and therefore they insisted upon a Declaration for preventing the Bishops from harrassing or prosecuting any Person for the future, upon Account of the Constitution *Unigenitus*. And as to his Majesty's Proposal, they said, That the Motives upon which they had acted, still subsisting, they could not alter their Conduct, unless the following Conditions were previously agreed to, *viz.*

1. That their exiled Brethren should be recalled.
2. That in the Assemblies of the Parliament they might give their Advice freely, without exposing themselves to *Lettres de Cachet* for Banishment, or any other Hardship.
3. That for the future the King should speak to his Parliament by Letters Patents, and not by *Lettres de Cachet*, or sealed Letters.
4. That the Parliament should be permitted to speak to the King directly, and not be obliged to address themselves to his Ministers.
5. That the Parliament should be allowed to receive Appeals without any Evocation, and so left at Liberty to judge and give Sentence in Ecclesiastical Affairs as formerly.
6. That all Affairs should be restored to the same State upon which they were before the *Arret* of September the 5th, 1731.
7. That what has been done since the said *Arret* should be declared null and void; and
8. That all past Evocations should be revoked.

Thereafter they drew up the following Resolution, which their Presidents delivered to the First President the 26th, *viz.*

**T**HE Presidents and Counsellors of the Chambers of the *Enquetes* and *Requetes* have considered with the needful Attention, what was proposed to them by the First President: But they cannot reconcile the King's Orders with the Fidelity which they owe him as Counsellors and Judges, and with what they owe to themselves. They thought they could not give his Majesty a greater Instance of their Submission and Respect, than by beseeching him, as they do again, to accept the Resignation of their Offices, since they are



no longer at Liberty to discharge the Functions thereof, nor can any longer speak what they think in Honour and Conscience, without displeasing the King, and exposing themselves to the same Usage some of their Brethren have met with, to wit, rigorous Seizure and Imprisonment, without any Form of Law, and only for having, by their Advice, given Proofs of their Attachment to the Laws of the State, and the Maxims of the Kingdom, for the Preservation of the Rights and Independence of the Crown, for the Safety of the King's Person, and for the Maintenance of the Fundamental Maxims of the Kingdom: Wherefore, they persist in desiring the First President to receive their Patents, which they tender to him, and to obtain his Majesty's Consent to their resigning the same.

On the 27th the Count *de Maurepas*, Secretary of State, dined at the First President's, who took that Opportunity to deliver him the said Resolution, and next Day it was sent to Cardinal *de Fleury* at *Iffy*. This Resolution, with the Terms insisted upon by the Gentlemen of the *Enquetes* and *Requetes*, put the Cardinal again out of Humour, so that when the First President went to *Versailles* upon Monday the last Day of *June*, the Keeper of the Seals told him, That Affairs were not in the Situation Men imagin'd: That the King would be obey'd, and that the Chambers of *Enquetes* and *Requetes* had nothing to do but to submit to the King's Pleasure, and ask his Pardon. And when he went again to *Versailles*, upon the 2d of *July* to wait upon his Majesty, who was returned thither from *Compeigne*, and applied to the Cardinal for that Purpose, his Eminency told him, That no Magistrate of the Parliament could speak with the King, unless it were to ask Pardon for the Rebellion of the Chambers of the *Enquetes* and *Requetes*, and unless they should come in a Body, and cast themselves at his Majesty's Feet for that Purpose; in which Case the King would act, with Regard to them, in such Manner as he should think fit: Whereupon the First President told his Eminency, That the Seven Chambers persisted in their Resolution, and that they did not think themselves any Way under the Predicament of Rebellion and Disobedience. And going afterwards to the Keeper of the Seals, he told that Minister, That if no Concession was made, he foresaw, that Part of the Great Chamber would join the others, and that

in such Case he would be obliged to resign his Office also.

After this Disappointment, the First President returned immediately to *Paris*, and gave the Great Chamber an Account of what had passed, who were all so heartily vexed at this Reception, which their First President met with, that it had like to have determined them to have joined the other Seven, and the only Thing that prevented it was, that by a little longer Patience they might serve as Mediators between his Majesty and the other Chambers. The First President having before acquainted the Presidents of the other Chambers with what the Keeper of the Seals had said to him, and the Presidents having the 1<sup>st</sup> of *July* communicated the same to their respective Chambers, received for Answer: *That the King was Master of their Lives and Fortunes, and that they were ready to undergo the utmost Effects of his Indignation, rather than make any Acknowledgment of Rebellion or Disobedience, of which they were unjustly accused to his Majesty, at a Time when they sacrifice every Thing in Defence and Maintenance of the Interests of his Crown and People.*

On the 3<sup>d</sup>, the Seven Chambers of *Enquetes* and *Requetes* met at the Houses of their respective Presidents, to prepare themselves against the worst that could happen to them on the Part of the Court, seeing no Way to come at an Accommodation, without betraying their Honour and Conscience. The next Day the First President declar'd to their Presidents, that the King had come to a Resolution to banish them 50 Miles from *Paris*, and to deprive them of all their Offices, unless they would go and ask his Pardon, and beg Leave to resume the Functions of their Offices; and that they were allowed only till the next Day at Three o'Clock in the Afternoon to consider of it: But this threatening Message had no Effect, they received it with the same Disdain they had done all the former. However, the First President, accompanied by the President *Pellotier*, and Monsieur *Soulet*, Counsellor of the Great Chamber, went the Day after, being *Saturday* the 5<sup>th</sup>, to *Versailles*, and being introduced into the Council, Monsieur *Soulet* in a fine Speech made very strong, though respectful Remonstrances in Favours of his Brethren of the other Chambers; upon which his Majesty out of his extraordinary Goodness gave them 24 Hours longer Time

Time to return to their Duty, (as they were pleased at that Board to term it.)

On Saturday the 6th, the First President returned again to *Versailles*, where he staid that Night, came back to *Paris* in the Morning, and return'd to *Versailles* on Tuesday Morning, accompanied by the President à Mortier, six Counsellors of the Great Chamber, and the *Gens du Roy*, or King's Attorney and Solicitor General. They were introduced that Day to his Majesty, who received them very graciously, and ordered the Patents or Commissions of the Counsellors of the Chambers of *Enquetes* and *Requetes*, which had been resigned and sent to the Chancellor as abovemention'd, to be deliver'd to them; laying his Commands upon the said Counsellors to return to their respective Chambers upon the 10th, and to go on with their Business: Then his Majesty told them, That he had rather Pardon than Punish, and recommended it to them to continue the Functions of their Offices, and not to *abuse* his good Nature; and said, that his Chancellor would tell them the rest: Whereupon the Chancellor made a florid Harangue to them, extolling his Majesty's Goodness towards his Parliament, and shewing how much he preferred the Methods of Gentleness and Mercy to Acts of Rigour and Severity; after which he delivered to the First President the Demissions of the Gentlemen of the other Chambers.

Next Day being the 9th, the First President and the other Deputies gave an Account to the Gentlemen of the *Enquetes* and *Requetes* of what had been done at *Versailles*, and returned them their Commissions; upon which they went and held a Conference amongst themselves, which lasted some Hours; at their breaking up, the First President dispatched an Express to the Chancellor at *Versailles*, who thereupon wrote a Letter to the Presidents of the Chambers of *Enquetes* and *Requetes*, wherein he declar'd, That the King, like a good Father pardoned the Seven Chambers; that his Majesty would leave the Administration of Justice to them, and permit his Parliament to make Demonstrances to him, when Occasion required; and that his Majesty would give them a favourable Hearing. This Letter occasioned farther Deliberations among the Members of the Seven Chambers, and in Complaisance to their King's Commands they resolved to meet in general Assembly next Day.

On the 10th, the five Chambers of *Enquetes*, the two of *Requetes*, and also the Great Chamber, met in full



Assembly accordingly, and after some short Debate, it was carry'd to make Remonstrances to his Majesty, for Return of their exiled Members; for Freedom in voting, notwithstanding the Arret of the Council of the 3d of May; and lastly, to justify the Parliament in all their Proceedings; and a Committee of 36 Members of the several Chambers was immediately appointed, to draw up their Remonstrances, in order that they might be laid before the King with all convenient Speed. In the Debate about these Remonstrances, there was great Exception taken to the Word *Pardon*, so much made Use of by the King and his Ministers; most of the Members of the Parliament insisted upon it, that they had done nothing but what was their Duty, and therefore it was resolv'd, that in the Remonstrances to be made, the Parliament should be justify'd in all their Proceedings. These Remonstrances being accordingly drawn up by the Committee, the Parliament met on the 17th and 18th to examine them, and it was referred to the First President to digest them into a proper Order, and to make a Report thereof to the Parliament again the 23d; which Report being approv'd of, and every Thing relating thereto adjusted, the First President, and the Presidents *Le Pelletier* and *Maupeou* went to *Versailles* on the 4th Instant, when they had an Audience of the King, and deliver'd to him the Remonstrances of his Parliament, who told them that he would cause them to be examin'd by his Council, and then the Parliament should know his Will.

No Answer was returned to this 'till the 19th, when the Deputies arriving at *Marly*, they were conducted into two different Rooms; and after the King's Mass, the Marquis *de Dreux*, Great Master of the Ceremonies, and the Count *de Maurepas*, Secretary of State, came and conducted them into the King's Cabinet, where his Majesty was, with the Duke of *Orleans*, the Cardinal *de Fleury*, the Keeper of the Seals, the Duke *de Villeroy*, and some other Lords. The King having saluted the Deputies, said, *My Chancellor will declare to you my Intention*: Whereupon the Chancellor made the following Speech:

Gentlemen,

THE King has caused the humble Remonstrances of his Parliament to be examined in his Council: His Majesty not being inclined to enter into a Disquisition

tion of what is past, has order'd me to tell you, that his Majesty chooses rather to establish and confirm his Purposes for the future. The Dignity of the Sovereign makes it necessary to prevent every thing that is inconsistent with the good Order of a Society, which he has entrusted with so important a Part of his Authority.

It is with these Sentiments that his Majesty thinks it proper to declare himself by a Law, the only Design whereof is to revive and establish the antient Rules concerning the Use of Remonstrances, Appeals, the Order of the Assemblies of the Parliament, and the essential Obligation which the Parliament enter into with the King, never to interrupt the Course of Justice, for which that Tribunal is answerable to his Majesty's Subjects.

These are the principal Points of the Law, concerning which his Majesty was willing to give you Orders himself, that every Thing might concur to induce you to receive that Law with Respect, and to execute it with the truest Attention.

You will see by it, that the King is far from entertaining Sentiments contrary to a Freedom in voting. The Reason of his shewing some Severity to certain Members of the Parliament, was, because a Series of Affairs and Incidents, wherein they were personally concerned, did at last provoke the King's Patience, and put a Sort of Violence upon his Clemency.

You acquit yourselves of a natural Duty in their Behalf, by beseeching the King to forget what they might have done that was displeasing to him: And if their Return is for weighty Reasons deferred for a while, you may nevertheless fully confide in the same Goodness which you ask in their Favour, and in the Regard his Majesty has for your Demands.

This Speech being finished, the *Gens du Roy* approached his Majesty, and Monsieur *Dagueffau* delivered to them a Pacquet of Letters, containing the Declaration, and the King said to them, *I charge you to demand in my Name, the pure and simple Registering of this Declaration;* then turning to the Deputies, his Majesty said, *I shall judge of your Sentiments, by your Readiness to execute my Commands.* After which the Deputies withdrew.

Monsieur

The Report of this being made to the Parliament, the *Gens du Roy* were called in, and Master *Peter-Gilbert de Voisins*, his Majesty's Advocate, spoke as follows:

Gentlemen,

**W**E bring you the King's Declaration to the Parliament, which was delivered to us Yesterday at *Marly*, together with a *Lettre de Cachet* for the Assembly. And by his Majesty's express Command we have taken the Conclusions, which we here leave to the Parliament, with the Declaration and the *Lettre de Cachet*.

The *Gens du Roy* being withdrawn, Counsellor *Delpech de Merinille* stood up, and moved that the King's *Lettre de Cachet* and Declaration might be read; which was done accordingly, and the Substance of them was this:

By the KING.

Trusty and Well-beloved.

**W**E send you our Declaration of the 18th Instant, concerning which we have explained our Intention to your Deputies. We order you to proceed to the Registering of our said Declaration, and not to be wanting in that Respect. For such is our Pleasure. Given at *Marly*, the 19th Day of August, 1732.

Signed,

And underneath,

LOUIS.

*Phelypeaux*.

*The King's Declaration, in Answer to the Remonstrances of the Parliament; the Design of which Declaration is to remedy whatever has been done in the Assemblies of that Company, contrary to the King's Intention, 'till he has made Provision therein by new Laws.*

**I.** HIS Majesty's Edicts, Declarations, and Letters Patents shall be carried into Execution in the Parliament, from the very Day they are published, whether the King holds the Bed of Justice there, or whether they be sent thither in his Name; pursuant to *Tit. I. Article 3.* of the Ordinance of the Year 1667.

**II.** If his Majesty shall think fit to permit his Parliament to make Remonstrances, they shall make none so the Answer his Majesty shall give them.

III. The



III. The Great Chamber alone shall take Cognizance of Appeals in Relation to the Bull *Unigenitus*, and other Ecclesiastical Affairs.

IV. There shall no Denunciation, or Information, be made, except by the First President, and the Advocates and Attorney-General. And if any of the Counsellors or Presidents has any Thing to offer for the Good of the King and Country, he shall give Information thereof to the First President only.

V. There shall no Assembly of the Chambers be convened at their Presidents, nor shall any others be holden but such as are appointed by the First President in the Great Chamber; all the Presidents and Counsellors of the Chambers of *Enquetes* and *Requetes*, being hereby forbid to meet in their Chambers or elsewhere, to hold Deliberations, or to send any of their Body by Deputation to the Chambers, to know how every particular Chamber is disposed, or to keep any Resolution or Register, upon Pain of Disobedience.

VI. Every one of the Presidents and Counsellors shall be obliged to mind his own Business, and to discharge the Functions of his Office. They shall not cease so to do, without the King's Permission, upon Pain of Disobedience, and Deprivation of their Offices.

VII. The King reserves it to himself alone, to make Rules which shall be more extensive and more explicit.

While this Declaration was reading, Amazement and Perturbation of Spirit were visible in the Countenance of every Member of the Assembly; and a general Silence was the plainest Evidence of a general Concern. At last, however, the Affair was taken into Consideration. The first Votes were for naming Commissioners to examine what there was in the King's Answer, contrary to what they thought the Parliament had Reason to hope. Not a Man moved for the Registering. Counsellor *Rougeault* advised, that the King should be humbly prayed to withdraw his Declaration. Monsieur *de Montagny*, of the second Chamber of *Enquetes*, was of the same Opinion; and added, that they ought to repeat their Remonstrances to his Majesty in Behalf of their exiled Brethren; and that the Chambers should continue sitting till the King was pleased to give them an Answer. This Advice was approved by a Majority of 120 against 22; and accordingly it was resolved, That repeated  
humble

humble Remonstrances should be made to the King, concerning the Return of the absent Counsellors, and most humbly to beseech his Majesty to withdraw his Declaration; the Chambers to continue sitting till the King shall be pleased to give them an Answer to their Representation. After which the Court broke up.

On the 22d the Chambers met again. The President *Le Pelletier* told them, that he had executed the Orders with which they had charged him, in Relation to the drawing up their second Remonstrances; that the same were ready; and that if the Assembly pleased, they might send the *Gens du Roy* to *Marly*, to know when the King would be pleased to hear those Remonstrances. Thereupon the *Gens du Roy* were again sent to *Marly*; but went twice before they could be admitted to speak with the King. On the 28th they were presented to him; when in the most respectful Manner they begg'd the King to hear the Remonstrances of his Parliament on the last Declaration; who told them it was a Favour not to be granted 'till they had resumed their Functions, in the following Words; 'Since the Parliament persist in their Disobedience, and refuse to administer Justice to my Subjects, I will hear nothing from them: And as for you, Gentlemen, come no more on Pain of my Indignation, unless I send for you.' The next Day they made a Report of the King's Answer to the Chambers assembled; who nevertheless ordered that their Instances should be still continued.

But on the 2d of *September*, the whole Body of the Parliament received the King's Orders to wait upon the King at *Versailles*, in their Scarlet Gowns, where they attended accordingly. The great Guard-Chamber was fitted up for the holding of the King's Bed of Justice; at which the Princes of the Blood, the Peers of *France*, &c. attended, according to their Summons. The Parliament knew before what was to be done there; and as they could not act nor speak with Freedom in such a Presence, they entered a Protest before they went, declaring null and void, whatever should be done by themselves at that Time and Place. The Assembly being met, and the King seated in his Bed of Justice, he told the Parliament that the Chancellor would declare his Intention to them; and then Monsieur *Daguesseau* said as follows.

'The Conduct observ'd by his Majesty, is a better Proof of his Condescension, than of the Rigour of the Law.'

Laws. The Event has not answer'd his Expectation. The King has never refused to receive your Remonstrances : But upon the first Reading of his Declaration, the Parliament took upon them to reject it, and to put a Stop to the Dispatch of Publick Business ; just as if they would force his Majesty, and prescribe Laws to him. Was that the Way to obtain the Favour they desired of him ? The King's Pleasure more than once declared, could not conquer the Opposition, that unaccountable Opposition of your Assembly. Any Body but himself would have gone another Way to work. The King is, notwithstanding, inclined to give farther Proofs of his Goodness, by causing his Law to be published. You, with whom he deigns to entrust a Part of his Authority, must take Care that that Law be put into Execution. Your Predecessors glory'd in this : They used to say, *That if Obedience were lost in France, it would be found again in the Parliament.* Their Remonstrances were nothing but Prayers and Supplications : Put it in the King's Power to follow his natural Inclination, by making you feel nothing but the Effects of his Goodness and Protection.'

The President *Le Pelletier* (who supplied the Place of *Monsieur Portail*) thereupon turned to the King, and said ; *We wish, Sire, that we could lay open the real Sentiments of our Hearts before your Majesty.* And after he had touched upon the Reasons, which debarred the Parliament from speaking their Minds, *Monsieur Gilbert de Voisins*, the King's Advocate, glancing at the Declaration of the 18th of *August*, said as follows.

'It would be in vain for us, *Sire*, to pretend to stifle the poignant Grief with which we feel ourselves pierced : It would burst out in spite of our Teeth. Pressed by your former Declaration, we paid you, *Sire*, that blind Obedience which you demanded of us. We now pay it you again. Needs there any other Cause of Sorrow, than Marks of Contempt put upon the first Assembly of the Kingdom, even at a Time when your Majesty sets Bounds to the Zeal of that Assembly ? Never did the Parliament do the Kings your Predecessors better Service, than when they had more Liberty. We promise ourselves every thing from your Majesty's Goodness and Wisdom. We flatter ourselves, that so generous a Mind will easily be reconciled. Relying on this Hope, we offer up to

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your



‘ your Majesty, *Because You command it*, the humble  
‘ Sacrifice of our Sentiments !

Whereupon he required, by the King’s exprefs Com-  
mand, the Registring of his Majesty’s Declaration. The  
Chancellor attempted to speak again ; but all the Pre-  
sidents and Counsellors declared, *That they could not deli-*  
*berate.* Afterwards the Declaration was read, for the  
Continuation of the Duty of four Sols *per Livre*, &c.  
upon which there was no Deliberation ; but the Chan-  
cellor said, ‘ His Majesty having always at Heart the  
‘ Welfare and Advantage of his Subjects, would have  
‘ been heartily glad to ease the antient Burdens of the  
‘ the State ; but the present Posture of his Affairs will  
‘ not permit him to take off as yet any considerable  
‘ Part of them.’

Whereupon Monsieur *Gilbert de Voifins* said to the  
King :

‘ We cannot forget, *Sire*, your Majesty’s Intention for  
‘ the Ease of your Subjects : And whilst you declare to  
‘ us the Impossibility of your taking off the antient  
‘ Duties, we are convinced of the Goodness of your  
‘ Wishes. Go on, *Sire*, to give us Proofs thereof, when  
‘ your Affairs will permit. Had more Zeal been shewn  
‘ for your Majesty’s Service, at this Time when the  
‘ People are so loaded with Taxes, your Majesty would  
‘ now have reaped the Fruits of it.’

Then he demanded the Registring of that Declara-  
tion.

Whereupon the Chancellor ordered the Register of the  
Parliament to register the same ; and while it was doing,  
he said to the Parliament :

‘ The King being desirous to close this Meeting in  
‘ the same Spirit with which it was opened, his Maje-  
‘ sty has commanded me to tell you, that he looks upon  
‘ the Necessity of administering Justice to his Subjects,  
‘ as the first and most important Duty annexed to his  
‘ Crown. He has seen, not without great Surprise,  
‘ that you have resolved, that the Chambers shall con-  
‘ tinue assembled. He therefore charges you to do Jus-  
‘ tice to his Subjects ; and he forbids you ever to stop  
‘ the Course of it, under any Pretence whatever.’

One would have expected this Consent of the Parlia-  
ment, in getting which the King personally exerted  
his full Authority, should have absolutely concluded  
the Parliament, especially in a Country where the  
King’s Power, as to Life and Death, or other Punish-  
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ments, is uncontrollable, and can so easily revenge all Disobedience. Nevertheless, the contrary happened; for the very next Day at their Assembling, they renew their Protestation, and declare null and void whatever was done the Day before at *Versailles*. The News of this unexpected Firmness soon flies to Court; where they resolve to act with Moderation, if the Parliament upon second Thoughts would comply; but withal, in Case of farther Disobedience, 142 *Lettres de Cachet* were made out for banishing the chief Opposers to distant Places. The *Lettres de Cachet* were penn'd with the following Imperitorial Brevity.

Monseigneur ———

Being ill satisfied with your Conduct, I order you to go out of the City of Paris this Day, and to render yourself in my Town of ——— without departing from it.

While this was doing, a Message was sent, signifying the King's Orders to the Parliament for holding the Chamber of Vacations, in due Execution of his above-mentioned Declaration. But the Members having deliberated came to this Conclusion; That the *Gens du Roy* should go to Court, and shew to his Majesty on their Part, that they could not hold the Chamber of Vacations without their Brethren, who had been so long absent (meaning the Members in Exile.) After this, they adjourned themselves to the 11th of November, and then immediately separated themselves, some of the Members going that very Day to their Estates in the Country. This was on the 6th in the Morning. But it was no sooner heard of at *Versailles*, than another extraordinary Council was called, in which it was resolved to permit the *Lettres de Cachet* to go out; by which two only of the Great-Chamber, and 140 of the other Chambers were exiled. Accordingly, they all retired to the Places of Banishment appointed for them, as *Chalons*, *Soissons*, and other Cities and Towns.

This Step put all *Paris* under a Consternation; and the *Mareschal de Villars* in particular is said to have expressed great Resentment about it. Here the Matter rests at present; only the last Advices brought Word that the Court had allowed them a little more Liberty than at first, as of changing their Places of Exile, and even allowing some of them to return to *Paris*.

## S P A I N.

**W**E just mention'd in our last the great *Spanish* Armament, and the Design it was at last known to be sent upon. Since that Time, the Expedition has been both begun and ended ; of which we shall give the Reader those Particulars which have been made publick.

*ORAN* is a City of considerable Note, lying at the Bottom of a Bay, upon the Coast of *Barbary*, over against *Cartagena* in *Spain*, from whence it is distant but a very few Days Sail. This City was taken by the *Spaniards* in the Year 1509, and continu'd in their Hands 200 Years, 'till 1708, when the present King of *Spain*, being closely press'd by the Allies, could send no Supplies either of Men, Ammunition, or Provision, to his Governor of *Oran* ; which obliged him to abandon the Town to the *Algerines*, who had invested it with a great Army. Since the Moors had it in their Power it was very troublesome to the *Spaniards*, by the Piracies with which the Seas and Coasts of *Spain* were infested from thence. There belongs to it a Fort call'd *Mazalquivir*, which is situate at a little Distance to the West of *Oran*, in another Bay. It was taken by the *Spaniards*, and retaken by the *Algerines*, about the same Time with *Oran*, and is a very strong Fortification.

On the 29th of *June*, N. S. the *Spanish* Troops were set on Shore, without any Opposition ; tho' the *Moors* appear'd upon the Mountains at a Distance from them, to the Number of 17000 Men. But the next Day, the *Moors* being recruited, came down upon them. The *Spanish* Army was prepared for the Encounter, and drawn up in Order of Battle. The Fight was long and sharp. The main Part of the *Moors* Attack was borne by the *Spanish* Left Wing ; who, after an Engagement of above four Hours, vigorously sustain'd on both Sides, repulsed the *Moors* with great Loss, and drove them from the Tops of the Mountains with so much Haste and Fear, that the Alarm reaching *Oran*, struck such a panick Terror there, that the Bey or Governor, and Garrison, abandon'd the Place with the utmost Precipitation, and the *Spaniards* enter'd it the next Day, being the 1st of *July*. It was remarkable, that the same Person who was Governor of *Oran* at present, and forsook it without striking a Blow, was the same Man by whose Conduct it was taken from the *Spaniards* in the Year 1708.



1708. The Fort of *Mazalquivir*, which would have held the *Spaniards* for a Month, had it been well defended, was also surrender'd by the Garrison, without firing a Gun.

This rapid Success, struck Terror into all the neighbouring Places for some Time; and it was reported, that the *Algerines* themselves were trembling for Fear, and ready to abandon their City, and many of the Inhabitants began to remove their Effects. But the Progress of the *Spaniards* was interrupted, partly by the violent Heats of the Country, which brought a great Sickness and Mortality among the Soldiers; and partly by the Want of fresh Water, which is very scarce on that Coast of *Africa*; so that they could not make any distant Marches. Besides this, the *Moors* having recover'd their Fright, took Heart again, and began to entertain the *Spaniards* with very sharp Skirmishes, which all the advanced Parties of their Army were frequently received with. In these Skirmishes, the *Moors* were often successful; their Light Horse being good Soldiers, tho' their Foot are but indifferent; and once by an Ambuscade, they surpriz'd a considerable Body of *Spanish* Troops, of whom they kill'd 300, and among the rest, the Duke de *St. Blas*, a Grandee of *Spain*. At last, after a great deal of Expectation from this long meditated Expedition, News came that the *Spanish* Troops were embarking again for *Spain*, those excepted, who were left in Garrison at *Oran* and *Mazalquivir*; and by the End of the Month they were landed again in *Spain*.

To this general Account, it may not be amiss to add the following Relation, as it was sent by the *Spanish* General to the King.

*An Account of the Glorious Success of the Army and Fleet of Spain, which sailed from Alicant, June 15, N.S. 1732.*

HIS Catholick Majesty's Fleet, which rendezvous'd in the Bay of *Alicant*, and the Troops design'd for the projected Expedition, set sail the 15th of *June*, to the Number of 500 Transports, twelve Men of War of the Line, two Fregates, two Bomb-Galliot, seven Galleys, eighteen Galliot with Oars, and twelve *Barcalonga's*. This numerous Fleet was obliged by contrary Winds, to lie seven Days under Shelter of *Cape de Palos*, from whence they weigh'd Anchor the 24th, with a fair Wind, steering towards the Streights, and on the

25th,

25th, they made the Coast of *Oran*. The Wind being absolutely contrary, they could not get to Shore 'till the 28th, tho' they did not lose one Ship in all that Time, neither was there any separated from the Fleet.

Orders having been given by the Captain-General Count *de Montemar*, the Transports began the Descent the 29th at Break of Day, upon the Shore a League to the Westward of the Castle of *Almarza*, or *Mazalquivir*, under Cover of the Fire of the Men of War and Gallies.

While the Troops were ranging themselves in Proportion as they were set on Shore, a Body of 10 or 12,000 *Turks* and *Moors* appear'd in Sight, divided into several Platoons; but the Fire from the Men of War and Gallies kept them at a Distance; and the Standard of the biggest Platoon having been shot away by the first Cannon the *St. Joseph* Galley fired, they retired farther off. The Troops took the Opportunity of this Retreat to make an End of their Landing, and to put themselves in good Order, which was executed by all the Foot and most of the Horse, notwithstanding the continual Skirmishes of the *Moors*, who did us no other Damage, than wounding a few of the King's Soldiers. When the *Moors* perceiv'd that they could not hinder our Landing, they endeavoured with some Platoons of Horse to surround a Fountain at a little Distance from the Army, where some *Spanish* Soldiers had been order'd to post themselves. Their Design being discover'd, the Captain-General detached 16 Companies of Grenadiers under the Command of Don *Lucan Fernando de Patinho*, a Major-General, and 400 Horse commanded by the *Maques de Mina*, also a Major-General, to cut off their Retreat, and at the same Time to possess themselves of an advanced Post, which was very advantageous to cover the Right Wing of the Army. Notwithstanding the Danger there was in landing near that Fountain, a Troop of Soldiers of the Regiment of the Prince of *Asturias* offer'd to run the Hazard, and by good Luck they charged the *Maers*, and possessed themselves of that Post, which contributed very much to make the *Moors* retire to the Tops of the Mountains.

On the 30th there was a general Engagement between the King's Troops and the *Moors*: It was a very brisk one, and altogether to the Advantage of the former. We began that Day to build a Fort upon the Sea-side, at the Foot of the Mountain *del Santo*, to secure our Communication

munication with the Fleet, and to cover the landing of our Provisions.

The Detachment which covered the Workmen, found themselves unexpectedly engaged with the *Moors*, who came down to disturb them, and vigorously attacked that Detachment, which had a Communication with the Line, and with the advanced Posts; so that the one succoured the other. The Captain-General hearing the Fire of the Muskets, hasten'd thither with some Companies of Grenadiers, to maintain the advanced Post; but that Handful of Men not being able to withstand the Impetuosity of so many *Moorish* Troops, the whole Army was put in Motion to fall upon them. The Count *de Montemar* disposed his Left Wing in such a Manner, as to withstand the Enemy's Efforts, and at the same Time to gain with six Columns the Tops of the Mountains from whence they came down: Which was executed, notwithstanding the Enemy's Resistance, and the advantageous Situation of the Place, which is in the Form of an Amphitheatre; so that they were pushed from Height to Height, till they were obliged to take to their Heels. This Success was owing to the Courage of his Catholick Majesty's Troops, and to the Conduct of the General Officers, who were always at the Head of their Columns, driving the *Moors* quite away from the Mountain *del Santo*, on which they had posted themselves, and which commands the important Fort of *Almarza*; and from thence they drove the Enemy from the contiguous Heights.

In the Afternoon we could not continue the Charge, because the Troops were fatigued and wanted Water. They staid upon the Mountains 'till the next Morning, July 1. and the Barbarians not appearing, the Army marched in quest of them. Advice was brought us, that all their Troops, having the Bey at their Head, with his Guards and 200 Camels, loaded with his best Furniture and Effects, were retir'd by Favour of the Night, abandoning the Forts and Town of *Oran*.

The Army pursued their March with Speed, and found the Place deserted; but in the Bey's House were some of his Goods, which in the Hurry he was in he could not carry off. The Magazines were full of Ammunition, and we found a Camp they had formed between *Oran* and *Mazalquivir*, with all their Tents filled with Provisions, Ammunition, Arms, Money, Equipage, &c.

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The Day of Action the Army of the Barbarians consisted of 22,000 *Arabs*, and 2000 *Turks* of the Garrison of *Mazalquivir*, who could not get back again, because the King's Troops had possessed themselves of the Mountain *del Santo*.

We cannot tell exactly the Number of the Enemy's Killed and Wounded, because they take away all they can of them, according to the Maxims of their Religion: But if a Conjecture may be form'd from the Quantity of Spoils, such as rich embroidered Cloaths, Arms inlaid with Silver, Money, and other valuable Effects, which were found by our Soldiers, their Loss must have been very considerable, tho' in the King's Army we had only 30 Men killed, and 100 wounded, and there were but two Officers among the former, and six among the latter.

It is very remarkable, that during the three Days, which the Landing and the different Skirmishes of the Enemy took up, they never once thought of retiring into their Forts and Castles, nor of taking with them their Equipage, Tents, Arms, Ammunition, &c. There were found in those Forts 138 Pieces of Cannon, *to wit*, 87 Brass, and the rest Iron; seven Mortars, all Sorts of Utensils, and Provisions and Ammunition for a long Defence: But they were in such a Fright, that they did not so much as make Use of the 12 Field-Pieces, which were ready to be carried wherever they pleased, and were found under Fort *St. Philip*. They also abandon'd in the Shallows a large Galliot and five Brigantines, with which they used to infest the Coasts of *Spain*.

These considerable Advantages have restored to his Catholick Majesty's Dominion the important Town of *Oran*, encompassed with good Walls, and defended by five Forts or Castles, situate upon the Heights, among which is that of *Santa Cruz*, which is reckon'd impregnable, and covers the Bay of *Mazalquivir*, the Castle whereof is built in a Rock, and can neither be battered nor undermined. This Conquest will deliver the Inhabitants of the Coast of *Spain* from the Visits of those Pyrates and Barbarians.

F I N I S.

THE  
*Historical Register.*

NUMBER LXVIII.

GREAT BRITAIN.

*A Continuation of the Abstract of the Report of the  
 Committee appointed for the Charitable Corporation.*



**D** **AVID FAIKNEY**, Servant to *John Thomson*, being examin'd, said, That he was employed by the said *Thompson* to fill up Bills of Sale, Certificates, and Defeazances; and when he was out of the Way, the same were filled up by *Thompson* and *Lease*; and has seen but few Bills of Parcels for large Sums; that he has known Goods brought in, on which 1000 l. or 1200 l. has been lent, particularly Cloth; that *Thomson* has given him Notes of the Sum, Persons Names, and Quality of the Goods, from which he filled up Bills of Sale, Certificates, and Defeazances, and from thence entered them into the Pledge-Book; and *Lease* used to do the same. The Examinant further said, That, when he had made out such Bills of Sale, by Order of *Thompson*, the said *Thomson* has sent for *Francis Thomson*, Servant to *Woolley*, to sign the same in the Names of *Woolley* and *Warren*; and that they both knew of it, and used to sign such Bills of Sale, till within these twelve Months. He likewise said, that about two Years ago a large Sum of Money was lent on Indigo, and asking *Thomson*, why it was not brought to the Corporation House, he said the Proprietors rather chose to have it in their own Warehouse: That at another Time some Cochineal was pledged, and the Examinant said, it would be much safer in their own Warehouses

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than it would be abroad ; upon which *Thomson* told him, he had nothing to do to trouble himself with Affairs abroad ; which discouraged him from saying any more, he not being willing to be turned out of his Bread. Being asked, if Pledges had not been sufficient ; he said, that after the last Sale, when People brought in their Defeazances, in order to receive their Surplusses, he made out an Account of their Pledges, and some of them proved deficient ; that *Thomson* had asked the Examinant to sign Bills of Sale ; but he refused.

*Thomas Leafe* being examined, said, That *David Avery* was with *Thomson* three or four Times a Week, and used to pledge great Quantities of Goods to the Corporation, which were deposited in Warehouses, of which *Thomson* had the Keys ; and believes *Avery* generally lodged Goods for the Money he borrowed : That *Woolley* and *Warren* were great Borrowers, but does not know whether Goods were pledged for the Money so borrowed ; that when Pledges were taken in, *Thomson* was always present ; and when the Borrowers have come to redeem them, they were brought down by *Faikney* ; that he has filled up Bills of Sale by Order of *Thomson*, in the Names of *Woolley* and *Warren*, but never signed such Bills without their being first filled up ; that the Bills of Sale were filed in *Thomson's* Office, and the Certificates and Defeazances sent to the Cashier, and not to the Accomptant ; and that, whilst the Affair of the Corporation was depending in the House of Commons, last Session, it was intended to change the old Method of their Bills of Sale, Certificates, and Defeazances, because they would not tally with the Alteration of the Interest made by the said House, which the Committee designed to follow ; at which Time large Sums of Money were lent upon Pledges, for which no Defeazances were given, and the Certificates were cut from the Bills of Sale, without marking the Number on the cheque Side by *Thomson* himself, or by his Order, whom he looked upon to have the Management of the Corporation ; that he has signed Defeazances, as if the Goods were his own, by *Thomson's* Order, it being the Method of the Office ; but could not say, whether there were Goods pledged or not ; that Plate, Linnen, and other Things, have been pledged in his Name, particularly six hundred and eight Pieces of Dowlas for one *Jenkins*, a Goldsmith, by the Order of *Thomson* ; but he never received any Money upon his own Account from the Cashier.

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And he further said, That in looking over Mr. *Tench's* Cash-Book, he saw several Draughts on *Robinson* for large Sums of Money, and believes they were drawn by fictitious Certificates signed by *Thomson*; and such Draughts have amounted to near 200,000 *l.* and sometimes the Certificates have been sent up to *Robinson*, who gave *Thomson* Credit for them, and debited the Corporation, by which Method those large Accounts arose. The Examinant believes the Directors did not know of fictitious Pledges being made by *Thomson* until he went away. He likewise said, That upon looking over Mr. *Tench's* Cash-Book, he observ'd when Payments of large Sums of Money had been made on Shares, fictitious Certificates had been signed by *Thomson*, as if there were real Pledges, and carried to the Cashier; upon which, large Draughts have been made on *Robinson*, and frequently such Certificates have been sent up to him, by which Means *Robinson* has been enabled to pay in the Money on his Shares.

That *Thomson* has frequently given Certificates to *Robinson* to enable him to make up his Account with *Tench*, and he believes several fictitious Pledges have been made in his (*Lease's*) Name, and he has sign'd the same by *Thomson's* Order; and does not believe all the fictitious Certificates made by *Thomson* were sent to *Robinson*, but other People had some of them; that he has heard Capt. *Burroughs* say, that *Robinson* had drawn out large Sums of Money, and had employed the same in the Copper Works with Sir *Thomas Mackworth*, and believes he meant the Corporation's Money.

That *Avery* and *Leake* borrowed of *Thomson* 4537 *l.* 17 *s.* 9 *d.* without any Pledge, for which they were to pay 10 *l.* per Cent. and that large Sums have been lent to *Woolley* and *Warren* in the same Manner.

That *Thomson* advanced 12,000 *l.* on the *Morven* Mines in *Scotland*, and 4000 *l.* on the Mines in *Norway*; that there was an Account between Sir *Archibald Grant* and *Thomson*, in which Sir *Archibald* had but small Credit for several Years, and the Debit-side amounted to upwards of 10,000 *l.* and no Interest charged for the same.

And the Examinant, upon a further Examination, said, That Mr. *Squire*, Mr. *Burroughs*, and Sir *Archibald Grant* and believes Mr. *Tench*, knew of such fictitious Pledges; and believes not any other Gentleman in the Direction knew of it.

*David Faikney* being again examined, said, That he apprehended, that for the Bills of Sale made out for large Sums in *Woolley* and *Warren's* Name, the Pledges were fictitious.

That *Thomas Hodgson*, Servant to *Mr. Robinson*, used to come to *Thomson's* Office, and acquaint him, that 5, 8, or 10,000 *l.* Notes would be due on particular Days, and desired he would make Provision for them; upon which *Thomson* has given the Examinant old Defeazances, and ordered him to renew them, by making out on them new Bills of Sale, Certificates, and Defeazances: When the Examinant had so done, he used to carry the old Defeazances, which were in *Woolley* and *Warren's* Names, to the Accomptant's Office, in order to have the Interest and Charges cast up, and then left the new and old Defeazances upon *Thomson's* Desk, for him to settle with *Mr. Trench*, the Cashier; upon which, new Notes were issued out to enable *Robinson* to take up the old ones.

*Mr. John Richardson*, Clerk to the Cashier, said, That when Renewals of Pledges have been made, he has asked *Thomson*, why the Certificates have not been signed; *Thomson* replied, That was only Form; that *Thomson* paid him the Interest and Charges on such Renewals, and he deliver'd up to *Thomson* the old Certificates; that *Thomson* paid him at one time 7000 *l.* for Interests and Charges on Renewals of Pledges, part of which Sum, upwards of 3000 *l.* was new Pledges; Part was an Account of about 1400 *l.* allowed him for Charges expended Session of Parliament, and the Remainder was in Money.

*Thomas Hodgson*, Clerk to *Mr. George Robinson*, said, That the said *Robinson* did, about the Month of September 1730, borrow of the Charitable Corporation the Sum of 22,000 *l.* in the Examinant's Name, but unknown to him, and ordered him to go to the Corporation, and sign the Bills of Sale, and Defeazances; and that he the said *Robinson* would take the Certificates himself, for he had given *Thomson* Security; and the said *Robinson* afterwards brought six Certificates to the Examinant, amounting to about 21,000 *l.* and ordered him to carry them to *Mr. Trench*, the then Cashier, and see them discharged off the Debit Side of the Book.

And being asked, if he knew of any Goods pledged by *Mr. Robinson*, said, He remembred about 40 Pipes of Indigo, worth about 4000 *l.* and is not sure if there was  
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not some Cochineal; but knows of no other Goods pledged by the said *Robinson*.

*Jeremiah Wainwright*, Cashier to the said Company, said, That he never carried up to the Committee any Certificates for Pledges, and believes his Predecessor, *Mr. Tench*, never did.

That he had nothing to do with the Warehouse-keeper's Office, but always believed there were real Pledges, and never had any Suspicion of fictitious Pledges being made, till since *Thomson* went away.

That he shewed Capt. *Molefworth* in his Office, an Account of all the Pledges unredeemed at *Lady-Day*, 1731, in a little stitch'd Book, wherein was Principal and Interest; and pointed out to him several large Sums that had been due a long Time; and told Capt. *Molefworth* all the old Pledges should be redeemed or renewed, which would bring in a considerable Sum of Money to pay the Dividend. Capt. *Molefworth* carried the said Book to *Thomson*, and left it with him; and the said *Thomson* promised the said Pledges should be redeemed or renewed accordingly.

That he used to enter the Pledges generally from *Mr. Tench's* Book, and examined the same monthly with *Mr. Tench* by the Certificates; that he did so until the End of *April* last; that there were Certificates for all the Pledges to that Time; that he never took Notice of the Receipts on the Back of such Certificates not being signed (he looking only on the Face of such Certificates) till since *Thomson* went away, when they were examined in the Presence of *Mr. Grove*, one of the Inspectors, and a Notary Publick.

*Thomas Lease* being again examined, said, That for three Years past there has been want of Money at the Corporation House at different Times, and since the obtaining of the last License for the Enlargement of their Capital, Money has been scarcer than formerly; and has heard it often said amongst the Officers, that there was not Money sufficient to supply the Borrowers.

That in the Year 1727, when *Robinson* came into the Corporation, Money was begun to be drawn out by *Thomson* on fictitious Pledges.

*Thomas Jones* said, That he did go to Sir *Archibald Grant's* on the Monday before the City Petition was presented to Parliament against the said Corporation, at *Warren's* Request, and acquainted Sir *Archibald* that he was drawing a Case of the Mismanagements of the Corporation,



poration, and the Abuse of their Charter. Sir *Archibald* was surprized, and told him he hoped, he, *Jones*, would assist them now all the World was upon them; that he had put them in a Method, and they had had good Success. The Examinant replied, That he did not know what Success they had had, but he had a Paper in his Bosom, he was going to Print; that he would not assist them, but would appear against them. Sir *Archibald* replied, If he had any Demands on the Company he should apply to them, and desired him not to print his Case. That then one Mr. *Waller* came into the Room, in whose Presence he gave Sir *Archibald* several Hints, viz. That the Corporation was abused by private Sales; that their Warehouse was a publick Shop; that a great deal of Money was lent on fictitious Certificates; that, if the Warehouse-keeper certified he had Goods to the Cashier, he could receive the Money directly: Sir *Archibald* told him it was a Mistake, that he was sure it was no such Thing. The Examinant insisted that a Committee should be called, that he might acquaint them therewith: Sir *Archibald* said they were in a Hurry, and it could not be; but there was one called that Evening, and he was summoned to attend it; at which were present Mr. *Molesworth*, Mr. *Benjamin Robinson*, and Mr. *Langton*, a Proprietor, but not in the Direction: He produced a Case, and read Part of it, and then told them the several Mischiefs that attend the Company by the Power reposed in *Thomson* in Concert with Capt. *Burroughs*, Mr. *Squire*, and one or two more, and how they might remedy it; for that it was in *Thomson's*, and one or two of the Director's Power, to run away with the Company's Cash.

That the Examinant did meet Mr. *Burroughs* and *Squire* at Sir *Fisher Tenche's* Request at the *Pope's Head Tavern* in *Cornhill*, and read to them his Case; they said there was nothing in it; but *Burroughs* likewise said, he had Commission from the Committee to compromise all Matters with him, and appointed to meet at the *Bell Tavern* in *Nicholas-Lane* in the Evening, which he did; that a Bond of 4000 *l.* was prepared for the said *Burroughs* to enter into, that the Corporation should abide by an Award mentioned in the said Bond; that *Burroughs* refused to sign the same, but gave the Examinant a Note of his Hand for 500 *l.* in Part of Satisfaction for his Demands, which he promised to redeliver to him upon performing several Conditions mentioned

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mentioned in a Defeazance signed by him at the same Time, that he has received the said Note.

*Thomas Warren* said, That when the Corporation was before the Parliament last Year, he believes *Capt. Burroughs*, or *Sir Archibald Grant*, sent him to *Mr. Jones*, whom he found to be their Enemy; and he told them of it; but he heard afterwards they had made him easy, and to the best of his Remembrance, *Capt. Burroughs*, or *Sir Archibald Grant* told him so.

Another very mischievous Step taken by the Committee of the Corporation was the issuing out a great Quantity of Notes and Bonds, to the Amount of 101,115 *l.* in Notes, and of 44,000 *l.* in Bonds, which was done without any Order of a General Court, which ought to have been assembled on that Occasion, and consenting to the same; whereas on the contrary, this being done without their Privy, the Proprietors became liable to so vast a Debt without being previously informed of the Matter, or of the Reasons for doing so. The Motives that engaged the Committee of the Corporation to act after this Manner, seem to have been, among others, the two following: First, It was for the Convenience of *Robinson*, *Thomson*, and their Accomplices to have such Notes issued; for the ready Cash of the Company being drawn out so fast by the Methods above-mention'd, it was necessary for them to supply and conceal the Want of Money by getting Notes to be received instead of it, to keep their own Roguery from breaking out. Secondly, They hoped to make a gainful Traffick out of those Notes; and by purchasing the same at an under Rate, and then raising the Credit of them by those Artifices that Men in Business understand, to sell them at an advanced Price; and the Prospect of this Gain seems to have had Weight with some of the Directors who were not thought to have been Accomplices in the great Scene of Iniquity.

It appears farther by the Report, that Dividends were agreed to be paid every half Year since November 14, 1727, first of 3 *s.* then of 4 *s.* then of 5 *s.* per Share; which the Committee and Assistants declared in the General Court they found themselves able to make upon a careful View of their Affairs and Accounts, and an exact Calculation of the Profits; whereas on the contrary, not one of them had ever looked into the Warehouses, to see, whether there were any Pledges  
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for the several large Sums that had been lent out; nor had they sometimes even seen any Account whatsoever.

Mr. *John Venables*, Accomptant to the said Corporation, being examined, said, That he was appointed to the said Office the 13th of *July*, 1731; that he never received any Directions from the Committee or Assistants to make up any Accounts, but was told by Mr. *Wainwright*, the Cashier (who had formerly been Accomptant) that it was his Duty to make out an Account Half-yearly, in order that a Dividend might be declared, and that the said Mr. *Wainwright* gave him Instructions for that Purpose. Accordingly he or his Clerk did take out of the Books the principal Sums lent, first deducting what was received by Sales, or paid in Part, and cast up Interest on the Remainder, after the Rate of 10 *l. per Cent.* for all Pledges to the first of *April*, 1731, as they appeared upon the Books, and that he never had any Doubt of the Reality of such Pledges: That from the first of *April* he calculated the Pledges above 500 *l.* at 6 *l. per Cent.* under 500 *l.* to 100 *l.* at 7 *l. per Cent.* under 100 *l.* to 20 *l.* at 8 *l. per Cent.* and 20 *l.* and under at 10 *l. per Cent.* That this Account he made in order for a Dividend in *October* 1731, and brought it to *Spring-Garden*, in order to lay before the Court of Committee for that Purpose; but the Court of Committee and General Court were up before he arriv'd, and had declared the Dividend; that he met Capt. *Moleworth* and Mr. *Beake* in *Spring-Garden*, and shew'd them the Account, and declared to them his Apprehensions, that the Account was not to be depended upon; for that he had carried on Interest for above 3000 *l.* in that Account mentioned to be in *Thomson's* Hands on Account of Sales, and had been so some Years: And also for 6000 *l.* *Thomson* had received on Account of Sales above a Year; and also, that since the first of *April* last, near one third Part of their Capital was calculated at 6 *l. per Cent.* and the Dividend at 6 *l. per Cent.* so that that Money could answer no Charges: Upon which the Gentlemen seem'd surpriz'd, and Capt. *Moleworth* desir'd him to make out an Estimate against the next Day, of the Amount of the Pledges above 500 *l.* which he did; that the next Morning, before Ten, Capt. *Moleworth* and Sir *Robert Sutton* came to the Office in the City, and Sir *Robert* went to *Thomson* to enquire after this Affair; and the Examinant has heard, that *Thomson* so



was order'd to make up his Account of Sales, and that *Thomson* alledged he owed the Company nothing; for that he had accounted for the Sales by Redemptions, and so paid Interest for all the Money to the Time of Payment, and the Company were no Sufferers; That *Thomson* did prepare an Account of Sales, and laid it before the Committee, and *Mr. Molefworth* brought the said Account to the Examinant, and afterwards fetched *Thomson* to his Office, who made the Declaration aforesaid, but owned it was irregular, and promised it should be so no more: That he never examined the Vouchers for the Pledges, in order to make up the General Accounts, they being in the Custody of the Cashier, but made it up from the Books in his Office: That upon the first Committee Day after the said General Court, he was told by the Committee, he had mistaken the general Instructions; for that it was never intended, that the Pledges made before the first of *April*, 1731, should be calculated according to the said Instructions, but only the Pledges made since; that, as the Parliament were inclinable to settle the Rates, so they would allow to the Borrowers 2 l. *per Cent.* and all Pledges in general, save those for 20 l. and under (which were still to carry 10 l. *per Cent.*) should from the said first of *April* be cast up at 8 l. *per Cent.* and thereupon the Account was delivered to the Examinant to alter, which he did accordingly.

That he believes *Sir Robert Sutton's* and *Mr. Molefworth's* Earnestness with *Thomson* to clear up this Matter, was the Occasion of his going away; and said, that he had observed several Pledges standing out for large Sums, on which near as much as the Principal was due for the Interest and Charges, and that several inferior Persons Names were made use of to conceal those of the real Borrowers.

Your Committee observe, that this Alteration was necessary to be made to justify the Dividend they had then declared, before they had seen any Account at all.

*Mr. Jeremiah Wainwright*, formerly Accomptant, and now Cashier of the Corporation, being examined, said, That he was appointed Cashier in the Month of *June*, 1731, in the Room of *Mr. William Trench*, deceased; that he apprehends the Corporation never divided more than the real Profits, supposing all the Pledges to be good; but the Committee have sometimes declared the Dividend before the Account has been made out; and that

he, when Accomptant, used to make up an Account Half-yearly from the Pledge-Books of the Interest and Charges due on Pledges standing out, which was necessary in order to compute the Dividend; and that the Duty of his Office, when Accomptant, was to keep the Transfer-Books, Stock-Ledgers, Pledge-Books, make out the Dividend Warrants, and, when the Proprietors paid in upon their Shares, to give them Credit in the Stock-Ledgers, and a General Ledger: That the Examinant computed Interest on about 6000 *l.* in *Thomson's* Hands, on Account of the two last Sales, which had never been brought to an Account; and the Examinant and Mr. *Venables* designed to take an Opportunity to acquaint *Capt. Moleworth* of the large Sums of Money in *Thomson's* Hands, which he had received on Account of Sales; And the Examinant has heard *Thomson* frequently declare, that when he came first into the Office, *Sir Robert Sutton* promised him he should have a Salary of 400 *l.* per Ann. that he the Examinant apprehended, that lest that Salary should seem too great, and that it might be made up to him some other Way, they suffered him to keep Part of the Money arising by Sales in his Hands; that by Order of Committees, several Sums of Money were paid *Thomson*, particularly 1400 *l.* on Account of Charges in Parliament, when he had the Money for Sales in his Hands; that the Gentlemen of the Committee, who were present when the Half-yearly Accounts were laid before the Committee, must know that *Thomson* had a large Sum of Money in his Hands, it appearing to be so upon the Face of such Account.

That he used to compute the Interest on Pledges and Notes for the Half-yearly Dividend, and carried it to the Committee; and to the best of his Knowledge, the total Sum of Interest and Charges on unredeemed Pledges and Notes not due, were not entered into any Book.

The Account given in this Report of the strange Neglect shewn by the Committee to the Company's Affairs, not to mention the Part some might have in the Embezzlements, will be the less surprizing, and the more easily accounted for, when we find what the Committee of the House of Commons declare; namely, That the View and Scope of several of the Directors and Chief Officers was not so much to intend the proper Business of the Corporation as to Traffick and Stock-job in Shares. For when once Directors of a Company take that Design

into their Heads, it must of Necessity give their Thoughts quite a wrong Turn; which are now no longer employed on making the Stock of the Company truly valuable in itself, by prosecuting, by prudent and honest Methods, the Business it was design'd for; but on giving it an imaginary Value in the Eyes of the World by all manner of treacherous and wicked Artifices. With this View it was that the two last Licenses were obtained in the clandestine Manner observ'd before by the Committee (Vid. *Hist. Reg.* N<sup>o</sup> LXVII. p. 221) and kept secret a good while after they were obtained; for it was supposed (as it happened accordingly) that upon this new Augmentation of their Capital, every one would conclude the Company to be in high Business, who were forced thus to call in Partners, and that the Price of Shares therein, must of Consequence rise; but the Knowledge that this was done was for the same Reason kept a Secret, till the Men of Figure in the Corporation should have laid in a great Quantity of Shares at a low Price, to sell out at those advanced Prices which they expected, immediately upon the Publication of these new Licenses.

Accordingly the Committee find, that although the second License bore Date the 21st Day of *June*, 1728, the same was never made known to the Proprietors till the 12th of *September* following: And, although the third License bore Date the 31st of *July*, 1730, the same was never made publick to the Proprietors, until the first of *October* following.

Mr. *William Higgs*, Secretary to the said Corporation, said, That he never heard of any Order of a General Court, or Court of Committee, for obtaining the second License, or knew, that it was obtained till about the Middle of *September*, 1728, when he was ordered by Capt. *Burroughs* to send circular Letters to all the Members to give Notice thereof. He likewise said, That at a Committee of Accounts held in *London* soon after, the said Capt. *Burroughs* took the said License out of his Pocket, and, before the same was read, put it into an Iron Chest; and that he never saw the Date of the License, until the same was ordered to be laid before the House of Commons last Session of Parliament, when he perceived it was dated the 21st of *June*, 1728, but was never published in a General Court, till the first of *October* following, and was not then read; that between the Date of the License and the publishing thereof,



Sir *John Meres* sold a great Number of Shares, and sometime after sent to him to know the Date of the License; and he, not knowing the same, went to the Secretary's Office to enquire after it, and applied himself to Mr. *Tilson*, who asked him, if he did not know; the Examinant replied, he did not; upon which Mr. *Tilson* told him, that then he should not know for him, or to that Effect.

That he had been present at all the General Courts prior to the Publication, save one; and that the obtaining the said License was never once mentioned there.

Mr. *Jeremiah Wainwright*, first Accomptant, and then Cashier, said, he did not know the Dates of the two last Licenses, till about *January* last, and that they were both kept secret some Months after their respective Dates; that Shares sold for about 6*l.* 10*s.* or 7*l.* per Share, before the second License was made publick, and immediately after were sold for 11*l.* That, before the last License was made publick, Shares sold from 7*l.* to 7*l.* 15*s.* per Share; and that upon the same being publick, they were sold for 9*l.* per Share; that he never knew of the said Licenses being obtained till it was publickly known to every one; that between the Dates and Publication of the said Licenses, several thousand Shares were bought by the Directors, or their Agents, and *Thomson*; and that he believes Mr. *Matthew Lamb* was a Trustee for Sir *Robert Sutton*; Mr. *Anthony Powel* and Col. *Westal* for Sir *Archibald Grant*; *Leaf*, *Faickney*, *Macullo*, and some others, for *Thomson*; Mr. *Cartwright* and Mr. *Cousemaker*, for Mr. *Burroughs*.

Mr. *Matthew Lamb* being examined, said, That he begun to act as a Trustee for Sir *Robert Sutton* about the fifth of *April*, 1728; and between that Time and the 17th of *July* following, 1250 Corporation Shares, part of the 100,000*l.* Capital, were by Sir *Robert Sutton's* Order purchased, and transferred to him in Trust for the said Sir *Robert*, and that he paid at the Rate of 6*l.* per Share, or thereabouts, for them.

That, when Sir *Robert Sutton* went abroad in 1728, he gave Orders to *Thomson* to purchase 2 or 300 Shares; and in Case *Thomson* could procure 400 more, the Examinant was directed to pay for them; and no Time was limited for buying the same.

*Thomas Warren* said, That when a Promise was made of obtaining a second License in 1728, the Examinant was resolved to buy up Shares in Expectation of a Rise; but

but was told by *Robinson*, that if he would be industrious, and buy up what Shares he could for him, he should have for his Encouragement half the Profit, and sustain no Loss that might happen: That, pursuant thereto, the Examinant bought great Numbers of Shares, and caused them to be transferred to *Robinson*, or his Order: That some Time after, Shares rose according to Expectation; and in 1730, the Time of the Enlargement of the last License, the Examinant gave *Robinson* a List of Shares, of which he was entitled to the half Profits, which, as he believes, amounted to near 20,000 Shares; but he never obtained his Share of the Profits he was promised.

The Stock-jobbing in Shares by the Directors of the Corporation, is also farther confirm'd by the following Attestations.

*Thomas Leafe* said, That he had copied an Account stated between *Robinson* and *Thomson* to the 31<sup>st</sup> of May, 1729, and a Ballance was due to *Thomson* of about 98,000*l*. and since that Time to the Time *Robinson* went away, the Examinant believes there might be 100,000*l*. more due to the said *Thomson*. That he wrote out two other Accounts, the first filed an Account of Four for 2000 Shares, or upwards; and believes the four Persons were, Capt. *Burroughs*, Mr. *Squire*, *Robinson* and *Thomson*: That the second Account was filed, An Account of Five, containing 1000 Shares, or upwards; and the same Persons were concerned in it, and Sir *Archibald Grant* was the fifth.

That *Thomson* has frequently given Certificates to *Robinson* to enable him to make up his Account with *Tench*, and to draw Money out of the Corporation, to pay in on Privilege Shares, and apprehended some Part thereof was made use of to purchase Stocks for the Advantage of the said N<sup>o</sup> IV. and V.

That he also wrote an Account, dictated by *Thomson*, how the said Shares were disposed of; that some of them were in the Names of the Examinant, *Thomson*, *David Faikney*, and *Robinson*.

That in July, 1728, N<sup>o</sup> IV. and V. bought considerable Quantities of Shares; that Sir *Robert Sutton* and Mr. *Tilson* had part of them; and apprehends these were part of the Shares bought of Sir *John Meres*.

That *Thomson* had two Books covered with Marble Paper, in which were distinct Accounts of N<sup>o</sup> IV. and V. but he never saw any Names.

That

That *Thomson* has borrowed large Sums of Money on Corporation Shares.

*Thomas Warren* said, That there is at this Time upwards of 70,000 *l.* borrowed on Shares by the said *Warren*, standing out between *Thomson* and *Robinson*, and that he is bound with the said *Thomson* and *Robinson*, or one of them, for above 40,000 *l.* in Case of Failure in Value of the said Shares.

That he has borrowed on Shares for *Robinson*, at several Times, about 200,000 *l.* and about 60,000 *l.* for *Thomson*, which Shares have been redeemed and renewed several Times, and of which Sums about 60,000 *l.* is standing out of *Robinson's* Account, and about 12,000 *l.* on *Thomson's*, on 15292 Shares.

*David Faikney* saith, That about the Time of the second Enlargement of their Capital, *Thomson* told him Shares would rise, and gave him a Note of his Hand to deliver fifty Shares at any Time within two Months, upon the Examinant's paying 10 *l.* per Share. That before the Note became due, he found an Advantage could be made of the Shares, by paying 500 *l.* into the Fund, by which he would be entitled to 150 Shares. Some Time after *Thomson* asked him, if he deligned to keep his Shares; the Examinant told him he could not; upon which *Thomson* said, he had a Friend that wanted 100 Shares, and the Examinant sold him that Number at 7 *l.* 10 *s.* per Share, and Mr. *Hodgson* sold the remaining 50 at 7 *l.* 12 *s.* per Share.

That Shares had been put in his Name, which he had no Interest or Concern in, and believes the same was done that they might be transferred as *Thomson* had Occasion; and that he never had any Shares in his own Right before or since, but great Numbers of Shares were in *Leafe's* Name.

Mr. *Higgs*, their Secretary, said, In the Years 1725, and 1726, divers Courts of Committee were held to consult the opening Houses to lend Money upon Pledges; that he, Sir *Robert Sutton* at the first, Sir *John Meres* and Mr. *Gascoigne* all along, were for keeping to the Intent of their Charter, in lending Money in small Sums to the Poor, but the Majority were for lending Money in the City in large Sums; and Mr. *Bond*, who was of the Majority, said, Damn the Poor, let us go into the City, where we may get Money.

Sir *John Meres* said, That having Occasion for Money he went into the City to sell some Charitable Corpora-  
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tion Shares about *Michaelmas* last; and, as he was going, stopped at his Goldsmith's, and told him, he was come to do the same, who found him a Purchaser at 4*l.* 16*s.* per Share, which was under *Par*; That he went on to *Pontack's*, where he met with Sir *Robert Sutton*, and Sir *Archibald Grant*, and acquainting them with his Intention; the latter dissuaded him from selling his Shares, for that in three Days the Dividend would be declared, and then the Shares would rise.

That some Time after the Beginning of last Session of Parliament, the Examinant had Discourse with Sir *Robert Sutton* at Sir *Robert Sutton's* House, about the large Sums of Money, as he had been informed, were in *Robinson's* Hands, which he heard was between 40 and 50,000*l.* but Sir *Robert* made slight of it, and said, he believed it might be 10 or 12,000*l.* for which *Robinson* had given good Security; and that he was responsible to answer double the Money, and persuaded the Examinant to keep his Stock, and pay in upon his Shares.

*David Avery* said, *Thomson* told him, that if they had gained an Act of Parliament, it would have patched them up, and they might have gone on doing Business; and People would have been contented if they had paid Interest on their Notes, and made Dividends without looking after their Principal; and that other Companies were in as bad a Condition as they were, if as strictly enquired into.

Sir *John Meres* said, That Capt. *Burroughs*, Mr. *Squire*, and Sir *Archibald Grant*, and some others in the Direction, proposed to open another House; that he proposed *Exeter Exchange*, but those Gentlemen thought it would be more proper to have it near the *Royal Exchange*, saying, what signifies Stock if it is not saleable.

*John Edwin*, Esq; a considerable Proprietor, being examined, said, that about the Beginning of *September* last, the Examinant had a Mistrust the Charitable Corporation was not in a good Condition, and applied to Mr. *Thomas Beake*, one of the Assistants, and informed him, that he heard the Capital was imbezzled, and that they had divided out the Principal, and that there were not Pledges sufficient to answer the Money lent; and desired, for the Satisfaction of himself and his Friends, to inspect their Books and Accounts; Mr. *Beake* replied, that if the Examinant would write a Letter to him, he would carry the same to the Committee, and get it read.

That

That on the 9th of *September*, the Examinant wrote a Letter to Mr. *Beake* (which he produced to the Committee) which he sent to him, but had no Answer in Writing; but said, Mr. *Beake* informed the Examinant the next Day that the said Letter was read at the Committee, and if he would meet him at the Corporation-House on *Saturday* next, he should be satisfied; and the Examinant went accordingly, and Mr. *Burroughs* and Mr. *Beake* were there; that several Books were thrown on the Table; that he was told by *Burroughs* it being *Saturday* they were in haste, and he had no Opportunity to make Remarks thereon; but then desired Mr. *Burroughs* and Mr. *Beake* to give Directions to *Wainwright* to shew the Examinant what Books and Accompts he had a Mind to see: Upon the *Monday* following the Examinant went again, but *Wainwright* was unwilling to give him any insight, or shew the Books without farther Directions from *Burroughs*, who said, he could not shew the Books without the Order of the Committee, and referred him to attend the Committee the next Day; upon which the Examinant wrote another Letter, dated the 14th of *September*, to Mr. *Beake*, complaining of the Usage he met with, and went again to the Corporation the Day on which the Letter was wrote: And when he came to the Corporation-House, and the Directors were above Stairs, Sir *Archibald Grant* came down, and instead of satisfying the Examinant, gave him Sketches of Accounts of their Capital, and informed him that all Things were well, and what was rumoured about, there being not sufficient Pledges in the Office and Warehouse for the Money lent, was groundless and not to be minded; though some Person in the Committee had formerly expressed the same Mistrust long since (and produced to the Committee the said Account, which was delivered to Sir *Archibald Grant* by *Wainwright*, and given to the Examinant, which was read) but the Examinant applied no more at that Time.

That about the Middle of *May* last the Examinant applied to Sir *Archibald Grant* for a History of the Corporation; and at the same Time desired to know if he could tell him where to get any; but a few Days after Mr. *Higgs* made a Bargain with the Examinant for 200 Shares, at 6*l.* per Share, and Sir *Archibald Grant* appearing in it, the Examinant was dissatisfied; whereupon the Examinant, in the Beginning of *June* last, applied to Sir *Robert Sutton*, and desired to know of him the State

of

of the Corporation, and in Case he could give him Encouragement, he would buy considerably; who informed him he was very safe, and that their Capital was worth 5 *l.* per Share, and 1400 *l.* Profits on their whole Capital: And Sir Robert asking the Examinant what Price he could buy Shares at, the Examinant replied, 5 *l.* 15 *s.* upon which Sir Robert Sutton lift up his Hands with great Admiration, and said they were prodigious cheap.

That Sir Robert Sutton owned to the Examinant in October last, and since Thomson went away, that he had a Mistrust in the Spring that the Money in Robinson's Hands was not safe, and not a good Debt; though Sir Robert never owned the same to the Examinant, upon his Application to him in June.

That at the Time the Examinant was talking with Sir Archibald Grant at the Corporation-House in the City, the Examinant asked him if the Court-yard and Building over-against him belonged to the Corporation; Sir Archibald replied, it did, and was full of Goods; but the Examinant has heard since, that the same belonged to Mrs. Crawley.

It farther appears by some of Thomson's Letters, published in the Report, that this Mischief breaking out upon the Corporation was foreseen by some of the Directors, who, nevertheless made no Endeavour towards a Remedy; but the Letters are too long to be inserted in an Abstract. Only, it may be observed, that in an Examination relating to them, there seems to be a Discovery made that gives great Light into this whole Affair: For Tho. Leafe (mentioned above) being examined, as to a Passage in one of those Letters, wherein Thomson says that Leafe knew what unlucky Accidents made him absent himself, declared that it was owing to great Losses which Robinson, Thomson, and some of the Directors concerned with him, had sustained by meddling with York Buildings Stock, which they took all Methods to keep up the Price of, by buying and continuing the same by Premiums, to which End they made Use of the Corporation's Money, and when they had begun, were forced to go on: That these Losses amounted to above 100,000 *l.* and that Mr. Burroughs and Mr. Squire were privy to the Loss of the said Money, and possibly Sir Archibald Grant.



What follows in the Report, is the Examinations of such of the Directors as were brought before the Committee; of which we shall endeavour to give the principal Parts of some, and the Substance of others.

Sir *Robert Sutton*, in his Excuse and Vindication, alledged, that he never meddled with the ordinary Business of the Corporation for his own Part; for being himself ignorant of Accounts, he left the Examination of those of the Corporation to others of the Committee, who were most of them Merchants, or Men bred and versed in Business: That he never heard of any Complaint or Information, but he took Pains to have what was amiss rectified; and that he never heard of, or suspected the great Embezzlements that have been made of the Company's Effects: He acknowledged that he had a Part in obtaining the License in 1728, and that while it was soliciting he order'd Stock to be bought for him, as believing it would rise in Value; but that he did not know that the obtaining the same was kept as a Secret: That he also interposed in the obtaining the third License, but was also ignorant that any Concealment of the same was proposed or intended; he also contradicted expressly the Account given by Sir *John Meres*, pag. above; and also denied that he knew of any Money or Shares given to any Persons for their Assistance on any Account whatsoever.

The Hon. *Walter Moleworth*, Esq; one other of the Committee, being examined, said, That he did not know of any Mismanagements in the Corporation till *Robinson* and *Thomson* were gone away; but that sometime before, finding that *Thomson* was considerably indebted to the Corporation, he pressed him so closely to make up his Accounts, that having put it off for a Day on Pretence of Sicknefs, he went away the Night after; that he thought when the last Dividend was declared, an Account had been laid before the Committee, and that he knew of no Money or Shares given to any Persons for obtaining the two Licenses; to any Person whatever, or upon any Account whatever, to forward the Business of the Corporation while the same depended in Parliament.

He farther said, that he has taken Notice of the large Sums of Money which were in *Robinson's* Hands, to Sir *Robert Sutton*, Sir *Archibald Grant*, Mr. *Burroughs* and *Squire*, at a Committee, and could not imagine what Reason could be given for the same, when the Corporation

ration were to give him 1*l.* per Cent. for circulating their Notes : That he was answered by *Burroughs* and *Squire*, that it was impossible for *Robinson* to negotiate the same without a considerable Sum of Money always in his Hands ; but hoped it would be but for a short Time, for in their Judgment their Notes would be taken like the *Bank* or *South Sea* Notes, and at a Premium : That when he has contended for having the Warehouses inspected, *Burroughs* and *Squire* have pleaded against it, and *Sir Archibald Grant* used to nod, as assenting to what they had said ; that he repeated the same Motion of having the Warehouses inspected a short Time before the General Court, which was held in *September* last, and before *Thomson* and *Robinson* went away ; giving it for a Reason, that the Proprietors should have that Satisfaction ; it was argued by *Burroughs* and *Squire*, that if any such Thing was to be put in Execution, it would run down the Stock ; and represented, that *Robinson* having so large a Share in the Capital, it would be cutting the Grass under their own Feet, and be of great Detriment to *Robinson* : And he also said, that he has often persuaded *Sir Robert Sutton* to exert himself, and not to be governed by *Burroughs* and *Squire*, &c. but took little Notice ; and when he was at the Committee, frequently took the News Papers and perused them, neglecting the Business for which they met ; that he has often gone beyond Decency with *Sir Robert*, to engage him to give more Attention to the Business of the Corporation.

He further added, That he thought a great Indolence reigned among the Directors for some Time past ; *Mr. Burroughs*, by acting as Chairman and Secretary for near 12 Months, having a great Opportunity to obstruct or divert any Motions he disliked.

*Sir Archibald Grant*, Bart. one other of the Committee, being examined, said, That he was concerned with *Thomson* in two Minerals, one in *North Britain*, and the other in *Norway* ; and had acquainted the Inspectors and Commissioners of Bankruptcy with the same, and knows not of any other Partnership ; was also concerned with *Robinson* in buying *York Stock*, who managed the same, and has accounted for the same with the Examinant ; that *Thomson* has frequently bought Shares for the Examinant, and paid for them, which the Examinant accounted for ; and does not remember that *Robinson* ever bought any for him, and had likewise paid all or more

than his Proportion of the Charges expended about carrying on the Mines; and likewise concerned with the said *Thomson* in a Lease from Lord *Lisburne* of Grounds in *Wales*, for which 200 Guineas were paid; and the Examinant has paid his Proportion of that and all Charges; and in a Glass Work in *North Britain*; a fifth Part of two fishing Busses; and has paid 350 l. part of the Expence due from him, and remains unpaid 192 l. In another Lease of Grounds in *Wales*, in which was a Copper Vein, but paid nothing except 10 l. or 15 l. for Charges, which was laid out for making Trial of the same, and is elapsed for not working the same; and has had Money Transactions with *Thomson* from the Year 1724; and an Account current with him for Bills of Exchange remitted to *Scotland*, and from thence to *London*; and when the same was stated in May last, a Ballance of 437 l. 4 s. 6 d.  $\frac{3}{4}$  was then due to *Thomson*, for which the Examinant gave him a Note, of which 56 l. 6 s. is since paid, so that he is now indebted to *Thomson* 380 l. or thereabouts; and does not recollect to have had any other Dealings with him, excepting some Bills of Exchange, which were paid as due, and did not enter into Account; and perhaps some inconsiderable Loans of Money, which were soon repaid, and did not therefore enter into the Account; and also a Sum of 3120 l. which the Examinant raised upon his Shares, and paid to *Thomson* in 1728, and the Beginning of 1729, and had not Credit in his Account for it, *Thomson* alleging in 1730, when the Omission was challenged, that he did not give Credit for it, because he was ready to repay it when called for; and accordingly did repay it about *November*, 1730. And the Examinant said, he also had some Transactions with *Robinson* in 1724, in *York Stock*, which *Robinson* bought and sold for him, and accounted for the Difference: He also borrowed Money of him on Loans, which were to the Value of the Money so borrowed, and was pressed by the said *Robinson*, that if the Examinant had Occasion for Money he hoped he would make use of him; and as the Examinant paid Interest, he thought he might be of Service to *Robinson* with Regard to his Principals, who, as the Examinant has heard, were considerable Persons; and the Examinant apprehended that he never borrowed any Sums of Money of *Thomson* or *Robinson*, but what he thought the said *Thomson* or *Robinson* were able to lend out of their own Fortunes. And in the Years 1725 and



and 1726, the Examinant had two Transactions with *Thomson*, one for 3 or 4000*l.* York Stock bought for Time, by which the Examinant lost 80*l.* and another since that for some few Thousands of *South-Sea*, bought for Time, and not taken in; and by that lost 200*l.* and does not remember any other. And the Examinant further said, he had an Account with Capt. *Burroughs*, which is ballanced; and never had but one Transaction with Mr. *Squire*, and then lent him 400*l.* for which Mr. *Burroughs* gave the Examinant Credit in his Account with him; that he never had any Adventure but what his own private Fortune could satisfy, were it never so unsuccessful.

And the Examinant further said, that he does not know of any Money or Shares in any Shape given to any Person for obtaining the Licenses, but only the Fees: And when the second License was apply'd for, the Examinant was in *Scotland*, but came to Town before it was granted; but believes *Burroughs* solicited the same: And further said, that Mr. *Burroughs* solicited the last License, until he went into *Scotland* with the Examinant; and the same was obtained during their Absence. And the Examinant said, he had never Reason to suspect that Embezzlements were made of the Corporation's Effects, or of any Person that was acquainted with it; but from the Improbability of some Officers doing so extraordinary a Thing by themselves, there is Reason to believe that such Embezzlements could not have been made without some Person in the Direction's Knowledge, but cannot charge any one: Being asked, if he knew of any Copartnership for buying up Shares; The Examinant said, he did not know of any; but that *Thomson* and *Robinson* had bought Numbers of Shares; and the Examinant has had Shares of *Thomson*, for which he paid him.

*Dennis Bond*, Esq; one other of the Committee, being examined, said, that he was in the Country when *Thomson* went away, and heard of it by Letter the first Post after; and about six Weeks after he was gone, as the Examinant was coming up to Town, he met a Gentleman, who told him the Corporation was ruined; and the Examinant said he was informed, and did believe, the Money had been made Use of in *Change-Alley*, and did not imagine it could be made Use of any other Way; that he heard it talked of, when the Corporation was before the Parliament last Sessions, there had been

been great Dealings in York Stock by some Persons belonging to the Corporation, but had not the least Suspicion of any Embezzlements ; that for three Years he did not attend but very little, and was not at one General Court during that Time, and had but little Stock; that he never was one of the Committee of Accounts; but when he was at the Board, always called for a General Account to be laid before them ; and acquainted the Gentlemen, who were the most acting Men of the Committee, that, if he knew they divided Six-pence more than could be, he would leave them. And the Examinant said, that he never heard of any Complaint against *Thomson*, and did not know it was in his Power to make away with the Corporation's Effects ; or that *Jones* ever informed the Examinant of any such Thing, or about a Surveyor to inspect the Value of the Goods in the Warehouses. The Examinant has heard that there were frequent Quarrels between *Thomson* and *Clarke*, who was the Surveyor of the Value of the Pledges ; that some Gentlemen said, that as *Thomson* had given Security, and as they could not agree, *Clarke* should be discharged, and another got in his Room ; That the said *Clarke* came into the Corporation a short Time after they begun to do Business ; that the Examinant remembers but little of their Affairs ; and believes an Agreement was made with *Clarke* for eleven Months, and thought a Surveyor was necessary ; but believes afterwards an Order was made for the Discharging of the said Surveyor, he being a Charge to the Corporation ; and the Committee of Accounts was looked upon to be a proper Cheque upon *Thomson* ; that being asked if he knew that *Robinson* or *Thomson* took in any of the Corporation Shares for any Person in their own Names, or in Trust for them, or that *Thomson* or *Robinson* paid in any Money on augmented Shares, or of any Money or Shares given to any Person to forward the obtaining any of the Licenses ; the Examinant said he did not.

*William Aislaby*, Esq; one other of the Committee, being examined, said, That he was chosen into the Direction in 1729, and became a Proprietor at the Intercession of *Robinson*, and that he seldom attended : And in the Year 1730, the Examinant desired he might not be chosen in again, but was, and knows nothing of the Corporation's Affairs, or of the Embezzlements which have been made ; that, when the Corporation was before the Parliament last Sessions, the Examinant attended

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at two or three Meetings, to settle the Briefs for Council ; and when the Affair was over in Parliament, the Examinant attended no more, as not liking the Reports spread of *Thomson's* Trading, and complained thereof to *Sir Archibald Grant*, and told him, he thought it was proper the Warehouses should be inspected ; *Sir Archibald* said, That *Thomson* was going to quit the same, and then he would give an Account of every Thing ; at the same Time said he believed him to be an honest Man.

*Robert Mann, Esq* ; one other of the Committee, being examined, said, he was chosen of the Committee in December, 1726, and appeared amongst them the first Time on the fourth of *January* following ; that he knew but little of the Corporation Affairs, and not of any Embezzlements that had been made ; but was persuaded by *Robinson* to buy Shares, and become a Proprietor, and to lend Money on Shares from Time to Time : Being asked whether he was concerned in obtaining the second License in 1728, the Examinant said he was not, but heard that *Mr. Burroughs* solicited the same, and said, that he complained of *Robinson* to *Mr. Torriano*, by way of Letter, of not knowing of the License being granted, and produced a Letter from *Mr. Torriano*, which was read ; and when the Examinant came to Town he purchased seventy Shares, and believes the same were bought of *Mr. Torriano* at 10 *l.* 10 *s.* and the said License was kept a Secret from him ; and meeting with *Squire* at the Coffee-house, complain'd of the same being kept a Secret ; *Squire* damn'd him, and said, If we had let you know of it, you would have bought too many ; that he had heard that *Burroughs* solicited the last License, but does not know of any Money or Shares given, or Steps taken for obtaining either of the said Licenses, or ever heard of any Debates about inspecting the Warehouses.

*William Burroughs, Esq* ; one of the Committee, being examined, said, that he does not know of any Embezzlement made of Sums of Money belonging to the Corporation, but what he apprehends to have been committed by *Robinson* and *Thomson*, and cannot say for whose Benefit the same was applied ; and further said, that *Robinson* and *Thomson* have bought and sold Shares for almost all the Directors, and paid for them ; and said, that Shares have been bought for the Joint-account of *Sir Archibald Grant*, the Examinant, *Squire*, *Robinson*,  
and



and *Thomson*; and the said *Robinson* and *Thomson* have paid in on the Examinant's Shares, but cannot recollect that they paid in on any others. And the Examinant also said, that to the best of his Knowledge he never knew or heard, that any Money or Shares, or any Promises were given for obtaining of the Licenses; and also said, that he never knew or heard of *Thomson* making fictitious Certificates, until he went away; and apprehends these Misfortunes could not have happened to the Corporation, but by the Connivance of their principal Servants, who were *Thomson*, *Robinson*, and Mr. *Tench*, their late Cashier: That he did not apprehend the Badness of the Corporation Affairs but since *Thomson* and *Robinson* went; and it never came to his Knowledge that *Thomson* could draw out the Corporation Money as he pleased; and never knew he was concerned or carried on any Trade, except that of the Mines in *Scotland* and *Norway*; and that *Thomson* had taken an Oath before the Affair was in Parliament, that he had not traded for 12,000*l.* during the Time he had belonged to the Corporation: And further said, that there was an Account of Shares bought between five Gentlemen, viz. Sir *Archibald Grant*, the Examinant, *Squire*, *Robinson* and *Thomson*, which Account *Robinson* was to have kept, of which he sometimes had Memorandums; that there was also another Account between four of the before-named Gentlemen (*Sir Archibald Grant* excluded) in purchasing of Shares; and that *Robinson* has never given any Account for any Part of the same; that a Memorandum of Shares bought was signed by four of the Gentlemen, and the same were kept by *Thomson*; and the said five Gentlemen were concerned in the Mines, and used frequently to meet once a Week at Mr. *Leafe's* or at *Pontac's*, to consider of them; that the said Shares were purchased in Hopes of a Rise, and never had any Transactions of Consequence with *Robinson* but in *York Stock* and Shares; and does not remember that ever *Robinson* paid in on any Privilege Shares for the Account of five, or that any Dividends were received on the said Privileges; that there was a Transaction of 90,000*l.* *York Stock* bought at 12 1 half for Time, wherein N<sup>o</sup> 5 were concerned, tho' not equally, and could have pledged it for 15 before it came due, and could since have sold it from 35 to 39, which *Robinson* has since sold, and does not recollect that ever any great Loss happened to them, but on the contrary great Advantages have

have accrued by such Transactions : Being asked, if it was never debated or talked of at a Committee, to give Shares to procure an Interest, while they were before the Parliament, the Examinant said, that he believed such a Thing in general was mentioned as agreeable and necessary, but by whom he could not say, and also believes it was never put in Execution.

*William Burroughs*, Esq; being further examined, said, That he does not know of any Embezzlements made of Sums of Money belonging to the Charitable Corporation by any Person or Persons, except by *Mr. Higgs* the Secretary, and one *Rock*, formerly a Warehouse-keeper ; but the Examinant has had Money from *Thomson*, and imagined it was his own ; and has, since *Thomson* went away, imagined, that he made fictitious Certificates, and purchased Defeazances of the real Borrowers, and has sold the Goods, and applied the Money to his own Use ; and being asked to explain the same, he said ; Suppose a Pledge made for 12 Months, at the Expiration whereof *Thomson* might call on the Borrower to redeem them ; and the Person not being capable to redeem the same, might take 100 l. more than what he pledged them for, by which Means *Thomson* obtains the Defeazance, and sells the Goods, without the Knowledge of the Corporation.

And the Examinant further said, That he does not know of any Sums of Money, or Charitable Corporation Shares given to any Persons absolutely, or only upon their Notes, whilst the Corporation Affairs were depending in the last Session of Parliament : Being asked, if there was not an Uneasiness among the Committee, or if they were not apprehensive of the large Ballance in *Robinson's* Hands before he went ; the Examinant said, they were uneasy about the Ballance due from *Robinson*, and called on him to settle with the Corporation ; and that *Robinson* made over his Shares and Estate to *Sir Robert Sutton*, in Trust as a Security to answer the said Ballance, and soon after gave a Bond and Judgment of all his Effects to *Sir Archibald Grant* and *Mr. Moleworth* : That before *Thomson* went away there was an Uneasiness among the Committee with respect to their Warehouses ; and they called upon the said *Thomson* to lay a State of the same before them, which he promised, but never did, and that they had no Apprehension that *Robinson* was indebted to *Thomson*.

And the Examinant further said, that in *May* last it was agreed on at a Committee, that new Notes to the Amount of 60,000 *l.* should be made out, with which it was designed to take up the old Notes at that Time due, or would be due in a short Time; and accordingly Notes were made out, and made to bear Date before the Determination of Parliament; that no more Notes should be issued, and were signed by *Tench*, and not by any other Person, and were then locked up, and afterwards destroyed; and Bonds were created, as being more acceptable, and were to take up due Notes, or as they should become due; and an Order was made for *Robinson* to have 4000 *l.* in Bonds for the same Purpose; that when Pledges have been renewed, new Notes have been struck, and to the best of his Knowledge no Enquiry was ever made about Pledges subsisting upon Renewals; and believes, their Ruin is in some Measure owing to that.

*John Torriano*, Esq; one other of the Assistants, declared upon his Examination, that he had vigorously opposed those ill Measures which occasioned so much Mischief; that he had proposed very often a Visitation of the Warehouses, and Survey of the Pledges; and that the Pledge-Book should be always laid before the Committee for their Inspection, which would have prevented any Embezzlements by the Warehouse-keeper: That he opposing the Issuing of the new Notes, which occasioned a great Loss to the Corporation, there being the Sum of 50,000 *l.* in the Cashier's Hands, sufficient to circulate the old ones; as also the lending of large Sums, which was another Cause of the Ruin of the Corporation: That he had charged *Thomson* to his Face with carrying on a Trade (the doing which with the Corporation's Money was probably one great Cause of these Misfortunes of the Corporation) though *Thomson* denied it; but that in all these Things he was opposed by other Gentlemen, of whom he named Sir *Archibald Grant*, *Burroughs*, and *Squire*, and sometimes Sir *Robert Sutton*; and that he had even been unhandsomely treated by *Burroughs* and *Squire* upon Account of his Opposition to the Measures taken.

*George Jackson*, Esq; one other of the Assistants, was next examined, who declared in Substance that he was utterly a Stranger to any Mismanagements, and never suspected any 'till after *Thomson* was gone; that he was not present when the Dividend of 31 *per* Share was declared



declared without seeing the Books. That he spoke several Times against the keeping so great a Ballance of Money in *Robinson* the Cashier's Hands; and that he was present at the coining of 60,000 l. new Notes, but conceived it to be done with the Approbation of all the Gentlemen, and that he himself had no more Concern in it than any other in the Direction.

Mr. *John Moody*, another of the Assistants was also examined, but his Examination contains nothing material.

Mr. *Benjamin Robinson*, another Assistant, said, that he himself had little or no Share in the Direction; but that he often attended, and spoke against many of the Neglects and ill Managements which caused so much Harm; and that he was but a small Proprietor in the Company's Stock, and was chosen Assistant the last Time when he was abroad in *Spain*, and contrary to his Desire.

The Examination of *Charles Waller*, Esq; is to the same Effect, as to his having no Share in the Direction, and is in no other Respect material.

*End of the Abstract of the Report.*

Since our last, a Paper of Proposals from *Thomson* has been made publick, but nothing having yet been done upon it, we think it not so suitable to our Design to insert it, till we have some remarkable Consequences to add thereto.

*Account of the Proceedings and Debates in Parliament continued.*

ON the same Day with the Debates which concluded our last Register, a Petition was presented by Sir *Thomas Lombe*, alledging that he had at his own Expence, and with the utmost Difficulty and Hazard, discovered and introduced into this Kingdom the Art of making fine *Italian Organzine* or Thrown Silk out of fine Raw Silk, by large Engines of a most curious and intricate Structure, which Commodity was absolutely necessary to carry on our Silk-Weaving Trade, and was formerly bought with our Money, ready work'd in *Italy*: That his late Majesty had granted him a Patent for the sole making and using the said Engines for the Term of 14 Years; but that several Years of the said Term was expired before he could finish the said Engine,

gine, and by reason of other Difficulties the whole Term was almost expired before he could bring the Manufacture to Perfection; and therefore praying that the House would take his Case into Consideration, and grant him a further Term of Years for the sole making and using the said Engines, or such other Recompence or Relief, as to the House should seem meet.

This Petition met with very little Opposition, many Gentlemen speaking in the Behalf of it; we think it not necessary to insert all the Speeches at length, which were made upon this Occasion; but we believe it will be acceptable to the Reader to see that of Mr. Ald——n P——y, as it gives a very particular Account of the Methods by which this useful Invention was brought into Great Britain. It was to the following Effect:

Sir, The Petitioner happening to have a Brother whose Head is extremely well turned for the *Mechanicks*, and both of them being well informed of the great Charge this Nation was yearly put to in the Purchase of that Sort of *Italian Thrown Silk* call'd *Organzine*, and that the same was all made within the Dominions of *Savoy*, by the Means of a large and curious Engine which had been set up and kept at work for many Years in that Country, but had been kept so secret, that no other Nation could ever yet come at the Invention; they resolved to make an Attempt for the bringing of this Invention into their own Country; they knew that there would be great Difficulty and Danger in this Undertaking, because the King of *Sardinia* had made it Death for any Man to discover this Invention, or attempt to carry it out of his Dominions: However, the Petitioner's Brother resolved to venture his Person for the Benefit and Advantage of his Native Country, and Sir *Thomas* was resolved to venture his Money, and to furnish his Brother with whatever Sums should be necessary for executing so bold and so generous a Design. His Brother went accordingly over to *Italy*, and after a long Stay, and a great Expence in that Country, he found Means to see this Engine so often, and to pry into the Nature of it so narrowly, that he made himself Master of the whole Invention, and of all the different Parts and Motions belonging thereto. After his Return to *England*, Sir *Thomas*, who knew the Excellency of his Brother's Genius, and could depend upon his Word, was convinced that he was fully Master of the Thing, and therefore he chearfully agreed to supply

supply whatever Expence should be necessary for setting it up in *England*; but that he might have the same Advantage that other Persons have and are entitled unto upon such Occasions, he applied and got a Grant of a Patent from his late Majesty in the Year 1718. The Engine is so large, and there are so many Wheels, Motions, Spindles and other things belonging to it, that it was three Years after he had obtained his Patent, before he could possibly finish the Engine. After the finishing thereof, he could make no Benefit thereby, till he had procured and instructed a sufficient Number of Persons how to work the same; and before he could do this, his *Sardinian* Majesty had got an Account that the Engine was set up in *England*, and he was so sensible of the Disadvantage it would be to his Country, to have that Sort of Thrown Silk made in any other Part of the World, that he immediately prohibited the Exportation of Raw Silk out of his Country; and before Sir Thomas could fall upon any way of getting a sufficient Quantity of Raw Silk stole out of that Country, so as to make any Advantage of his Engine, the Term of his Patent was within a very few Years of being expired, from which we may conclude that it is impossible that he could as yet have got a sufficient Recompence for the Hazard and Expence that he has been at. There might have been before, there may be still some other Sorts of Twist Silk made in *England*; but there never was any such as *Organzine* made, nor was there ever any such Engine in *England*, as this that has been brought in and set up by the Petitioner and his Brother. Those who are expert in the Silk Manufactures know well the Difference between the *Organzine* and any other Sort of Twisted Silk, but Gentlemen who have not narrowly examined into the Affair may be mistaken; but as to the Engine, the Difference between it and any other may be easily discovered: It is a very large Engine, which is first moved by Water, by the Means of which first Motion a great many Wheels and Spindles are set a moving, and thereby great Quantities of Silk are twisted in a much finer Manner, and by much fewer Hands, that can possibly be done by any Engine that was ever yet invented.

Another Gentleman observed, that since the setting up this Engine, our Exports of Gold and Silver Lace have increased to a very great Degree, that Sort of Twist or Thrown Silk which is made by this Engine, being



being the only proper Silk that can be used for the Manufacture of Gold and Silver Lace.

This Petition was referred to the Consideration of a Committee, and a Bill was passed for allowing him 14000 *l.* as an Encouragement for his Invention, without renewing his Patent.

After this, a Debate passed, upon a Motion made for the Supply towards Out-pensioners for *Chelsea* Hospital; but at last the following Resolutions passed the House, viz.

1<sup>st</sup>, That a Sum not exceeding 160,214 *l.* 4*s.* 11*d.* be granted to his Majesty, for maintaining his Majesty's Forces and Garrisons in the Plantations, *Minorca* and *Gibraltar*, and for Provisions for the Garrisons at *Annapolis Royal*, *Canso*, *Placentia*, and *Gibraltar*, for the Year 1732.

2<sup>d</sup>, That a Sum not exceeding 25,348 *l.* 2*s.* be granted to his Majesty, upon Account for Out-pensioners of *Chelsea* Hospital, for the Year 1732.

3<sup>d</sup>, That a Sum not exceeding 11,258 *l.* 10*s.* 8½*d.* be granted to his Majesty for defraying several extraordinary Expences and Services incurred in the Year 1731, and not provided for by Parliament.

On the 2d of *February* the House of Commons order'd that the proper Officer should lay before their House all such Proceedings, Papers, and other Instruments, as he had in his Custody, relating to the Sale of the Estate of *James* late Earl of *Derwentwater*.

On the 3d, several Petitions were presented to the House against the Sugar Colony Bill; after which, Sir *Tho. R——n* presented to the House, the Petition of the Proprietors of the *Charitable Corporation* for Relief of *industrious Poor*; which was referred by the House to a Committee, whose Report and Proceedings have been taken Notice of in this and the two foregoing Registers.

On Monday the 7th of *February*, several Accounts relating to the Salt-Duty, were presented (pursuant to Order) by the Commissioners of the Salt Duty.

The same Day a Motion was made by Sir *R——W——le*, for having the Pension Bill read the 3d Time, on the Thursday then next following in a full House, because he did not know but that he might then offer several Reasons against it, and endeavour to shew that it was neither a proper Bill for redressing the Evil complain'd of, nor was it offer'd at a proper Season.

Mr. P—y stood up and said, That that Bill had been for two Years successively before that House ; in which Time they had had many Opportunities to consider every Clause in it, every one of which had been concerted by the ablest Men in the Nation. The Bill, he said, was certainly a good and a necessary Bill, was very much wanted, and had the general Voice of the Nation in its Favour : Tho' the other House had twice thrown it out, yet he could not think that any Man of Honour could be against it ; what their Reasons were for so doing, he could not tell ; but it seemed, and he had even heard it whisper'd, that they were tired of doing such — Work ; they were resolved to do no more of it, and if so, says he, it is become necessary for us to do our own — Work ourselves.

Though this Motion was not insisted on, nor any Order made, yet the Bill was read a third time on the *Thursday* following, upon the Motion of Mr. S—ys ; and as there was great Expectation of a Debate upon that Occasion, the House was very full, and many Gentlemen besides Members had come to hear the Debate ; but to the Disappointment of all, the Bill was read a third time, and passed without any one Speech being made against it ; and Mr. *Sandys* was ordered to carry the Bill to the House of Lords, and desire their Concurrence.

On Wednesday the 9th Day of *February*, the House resolved itself into a Committee of the whole House, to consider further of Ways and Means for raising the Supply granted to his Majesty ; and the several Papers and Accounts relating to the Salt Duty having been laid before this Committee, a Motion was made by the Right Hon. Sir *R. W.* That towards raising the Supply granted to his Majesty, the several Duties on home-made Salt, granted to the late King *William* and Queen *Mary*, by an Act of the 5th and 6th Years of their Reign, for a Term of Years, and afterwards made perpetual ; and also the additional Duties on Salt, granted by an Act of the 9th and 10th Years of his said late Majesty King *William*, which by an Act of the 3d Year of his present Majesty's Reign, ceased and determin'd on the 25th Day of *December* 1730, be revived and granted to his Majesty, his Heirs and Successors, for the Term of three Years, from the 25th of *March* next, 1732.

As this Motion occasion'd many and long Debates in the House of Commons, we shall first give the History of  
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its Course through the House of Commons, and then we shall give the most remarkable Speeches that were made for and against it.

Notice having been taken in the Committee, that by the Motion, as it was worded, the Revival of the Salt Duty would not at all extend to *Scotland*, the Right Honourable Gentleman who first made the Motion, thereupon amended it as follows, *viz.* That towards raising the Supply — granted by an Act of the 9th and 10th Years of his said Majesty King *William*; and all the Duties chargeable on home-made Salt in *Great Britain*; which by an Act of the 3d, &c.

Then after a long Debate, the Question was put, Agree or Disagree to the Motion, and passed in the Affirmative, 225 against 187.

Next Day upon the Report of the Resolutions of the Committee, and the Motion made for agreeing to them, another long Debate ensued; and the Question being at last put, it was carry'd in the Affirmative 205 to 176, and a Bill or Bills were order'd to be brought in pursuant to the Resolutions.

Upon the 25th of *February*, Sir *Charles Turner* presented to the House accordingly a Bill for reviving the Duties on Salt, for the Term therein mention'd; which was received and read the first Time, and order'd to be read a second Time; and a Motion being made for reading it a second Time on Thursday Morning then next, the same was strenuously opposed, as being too short a Time for considering a Bill of so much Consequence; but upon a Division, it was carry'd in the Affirmative, 206 to 180.

Upon the said Day, *viz.* the 2d of *March*, the said Bill was accordingly read a second Time; and upon the Motion's being made for the committing thereof, a new Debate ensu'd; but at last upon the Question's being put, it was carry'd in the Affirmative, 209 to 154; and it was resolved, that on the Wednesday Morning then next, the House would resolve itself into a Committee of the whole House upon the said Bill.

On the 8th, after the Order of the Day was read for the House's resolving itself into the said Committee, it was moved and order'd without any Division, That it should be an Instruction to the said Committee, that they should have Power to receive a Clause of Credit. Then the following Motions were made, *viz.* First, Then it should be an Instruction to the said Committee, that



That they should have Power to receive a Clause to restrain any Person during the Time he shall be concern'd or employ'd in the charging, collecting, levying, or managing any of the Duties to be granted by the said Bill, from being a Returning Officer, or voting, or influencing any Elektor, to vote in Elections of Members to serve in Parliament. 2dly, That it should be an Instruction to the said Committee, that they should have Power to receive a Clause, to exempt from the Duties to be laid by the said Bill, all home-made Salt used in victualling Ships. 3dly, That the Debate be adjourn'd. 4thly, That the House should then adjourn, viz. After the Question had been upon the 2d Motion. 5thly, That it should be an Instruction to the said Committee, that they should have Power to receive a Clause, that the Potters might be allow'd a Drawback of the Duty upon all Salt used in glazing their Earthen Ware. 6thly, That it should be an Instruction to the said Committee, that they should have Power to receive a Clause, that Salt used for manuring of Land, should be exempt from the Duties to be laid by the said Bill. 7thly, That it should be an Instruction to the said Committee, that they should have Power to receive a Clause to fix the Assize of all Salt, which should be sold before the Duties laid by the said Bill should take Place. 8thly, That the House should then adjourn.

Upon every one of these Motions, the Question was, after several Debates severally put, but all carry'd in the Negative.

Before the making of the 7th Motion, it was order'd, without any Debate or Division, That they should have Power to receive a Clause to make void all Bargains then subsisting for the Delivery of Salt at any future Time. And the House did accordingly resolve itself into the said Committee; and after long Debates, Mr. *Speaker* resum'd the Chair. After which it was resolved, that the House should again resolve itself into a Committee of the whole House on the Friday thereafter, to consider further of the said Bill.

On Friday the 10th, the said Order being read, a Motion was made, That it should be an Instruction to the said Committee, that they should have a Power to receive a Clause to exempt from the Duties to be laid by the said Bill, Salt used in dressing and curing of Leather; and another Motion was made, That it should be an Instruction to the said Committee, to exempt  
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from the Duties to be laid by the said Bill, Salt used in making Glass and Glass Bottles. Upon both which there were Debates; but upon the Question's being severally put, it was carried against both.

Then it was ordered without a Division, That they should have Power to receive a Clause, for allowing Fish cured with Scots Salt to be brought from that Part of Great Britain called Scotland, into that Part of Great Britain called England, the Person or Persons who shall bring the same, paying such Duties upon bringing in such Fish, at the Port it is brought to, as, added to the Duty payable upon Salt made in Scotland, should amount to the full Duty, payable in England for the Quantity of Salt necessary for curing such Fish. After which the House resolved itself into the said Committee, in which were many Debates; but at last they went through the Bill, and the Speaker having resumed the Chair, the Report was ordered to be received on the Monday following; which Report being accordingly read on Monday, and the Amendments made by the Committee agreed to, the Bill with the Amendments was ordered to be engrossed.

On Tuesday the 21<sup>st</sup> Day of March, this famous Bill was read the third Time, and a Motion of Course made for its being passed, which again renewed the Debates; but at last the Question was put, and carried in the Affirmative, 207 to 135.

The Right Honourable Gentleman who made the above Motion for reviving the Duty upon Salt, introduced it with a Speech to the following Effect, viz.

Mr. Speaker, Sir, As there is nothing his Majesty has more at Heart than the giving all possible Ease to his Subjects; so whenever he is necessarily obliged to desire Assistance from them for the immediate Support of the Government, he desires that they would choose those Ways and Means for raising the annual Supplies, which are least burthensome to the People, and which make the Load fall equally upon the Subjects in general. When Money is to be raised for the Publick Good, and for the Security of all, he thinks that every one ought to contribute his Share, in Proportion to the Benefit that he is thereby to receive. In Pursuance of these his Majesty's Inclinations, and in Pursuance of what I look upon as the most Equitable Rule for raising Contributions, I shall take the Liberty of proposing to this House, a Method for raising some Part of the Supply for this present Year, which by falling equally upon all,

will be burthensome to none; and by which those who have stood the Brunt of the Day, those who have been oppressed for many Years, may in some Measure be relieved.

This, *Sir*, is the only View I have in making the Proposal; after it is made, the House may then take it into their Consideration, and each Member certainly will judge of it as he thinks proper. If it is approved of, I shall rejoice in having been the Author of a Measure which I think will contribute so much to the Good of my Country in general, and to the Relief of those who have for many Years borne too great a Share of the Publick Burthen; and if it happens not to meet with the Approbation of this House, I shall have the Testimony of a good Conscience for my Comforter; for since I have no other View but only a sincere and an honest Intention to give Relief to my Fellow-Subjects, I never can have Occasion to repent, nor do I any way dread those Reproaches which may be unjustly thrown upon me, or upon the Measure I am to propose: These are Things which in all publick Transactions every Man must expect: No publick Measure can be proposed, but what may be against the Private Interest and Selfish Views of some particular Men; but I fear not the Enmity, and I despise the Revilings of those who prefer their own little selfish Views to the general Good and Welfare of their Country.

I have, *Sir*, with the deepest Concern observed how heavy and how unequal a Burthen has been long borne by the Landed Gentlemen of this Kingdom: I have long had it in my View to procure them some Ease as soon as possible. and am pleased to think that an Opportunity now offers itself for doing what I have so long had much at Heart; and I hope I shall have the good Luck to find that my Sentiments are approved of by this House, and the Approbation of such an Assembly I shall always look upon as a great Honour done to any Proposal made by me. As to the Manner, *Sir*, of raising Taxes upon the People, it is a certain Maxim, that that Tax which is the most Equal and the most General, is the most Just, and the least Burthensome; where every Man contributes a small Share, a great Sum may be raised for the Publick Service, without any Man's being sensible of what he pays; whereas a small Sum raised upon a few, lies heavy upon each particular Man, and is the more grievous, in that it is unjust; for where



the Benefit is mutual, the Expence ought to be in common. Of all the Taxes I ever could think of, there is not one more general, nor one less felt, than that of the Duty upon Salt. The Duty upon Salt is a Tax that every Man in the Nation contributes to according to his Circumstances and Condition in Life ; every Subject contributes something ; if he be a poor Man, he contributes so small a Trifle, it will hardly bear a Name ; if he be rich, he lives more luxuriously, and consequently contributes more ; and if he be a Man of a great Estate, he keeps a great Number of Servants, and must therefore contribute a great deal. Upon the other hand, there is no Tax that ever was laid upon the People of this Nation, that is more unjust and unequal than the Land-Tax. The Landholders bear but a small Proportion to the People of this Nation or of any Nation ; yet no Man contributes any the least Share to this Tax, but he that is possessed of a Land Estate ; and yet this Tax has been continued without Intermission for above these 40 Years : It has continued so long, and has lain so heavy, that I may venture to say, many a landed Gentleman in this Kingdom, has thereby been utterly ruined and undone.

This Consideration, *Sir*, has prompted me to endeavour to procure them some Relief, and for this End I shall venture to make this Motion (*here he made the Motion above-mentioned, and then went on*) If I have, *Sir*, the good Luck to succeed so far in my Wishes, as to have this Motion approved of, I shall then beg Leave to move, that the Sum of One Shilling in the Pound, and no more, be raised for this Year upon Lands ; but if this House does not agree to the Motion I now make, I must in that Case move for a Land Tax of Two Shillings in the Pound ; for so much will be absolutely necessary for the current Service of the Year. This, *Sir*, is what a sincere and a hearty Desire to do Service to my Country, and Justice to my Fellow-Subjects, has emboldened me to propose. I declare I had no other View, but that of procuring some Ease. . . . some Relief to the Landed Interest. If this be agreed to, some Means may be fallen upon to relieve them of the whole again next Year ; and I shall always look upon it as a great Honour, that after a Continuance of a Land Tax of four, three, or two Shillings at least in the Pound for 40 Years together, it was at last reduced to One, at a Time when I had a Share in the Administration of the Affairs of this Nation. Before I leave this Subject, I must intreat every

every one that hears me, to consider how many Landed Gentlemen of ancient Families there are in *Britain*, who have but small Estates, how many of them have great Families to support, and many Children to provide for, and how many even of those who have large Estates in Land are so charged with Mortgages, Jointures or Rent-Charges, that it is hardly possible for them to support their Character in the Country where they live, though they were not to pay one Shilling towards a Land Tax.

Our Nobility and Gentry were once famous for Hospitality and Generosity; if the unavoidable Necessities of State have obliged them for so many Years to abridge their Expence, and contract their Manner of living, let us do at least what is in our Power to restore them to their former State, by relieving them of a Part of that Burthen, which they, and they only, have for so many Years been charged with.

This Motion being seconded, Mr. Pl...r rose up and spoke in Substance as follows. *Sir*, I agree with the Right Hon. Gentleman who made the Motion, in this, That the landed Gentlemen of this Nation have been for many Years subject to very grievous Taxes; the Land Tax is not the only Tax that has been heavy upon them, but every other Tax falls at last upon them with its greatest Weight: It is indeed high Time that some of the Burthens should be taken off of their Shoulders, and it was reasonable for them to have expected from his Majesty's most gracious Speech, that in this Session of Parliament they would have met with some Relief; but how much surprized must they be, when they hear, that all the Relief that has been proposed is, to take off one Tax which lies heavy upon them only, and in the Room thereof, to lay on another which will lie equally heavy upon most of them, and at the same Time will be a most insupportable Burthen upon every one of their Fellow-Subjects? The proposing this as a Relief for the Landed Gentlemen appears to me in so odd a Light, that I cannot well comprehend how it can be expected, that any Gentleman in *England* should be so imposed on. It is so short a Time ago, that we must all remember how this Tax upon Salt came to be taken off: His Majesty by his most gracious Speech from the Throne only two Years ago shewed, that he was sensible how much the Trade and Manufactures of this Nation suffered by the many Taxes the poor Tradesmen and Labourers were

were subject to ; he therefore recommended to us, the taking off some of those Taxes which were most burthensome upon the Poor ; and at that Time, Sir, it was the Opinion of this very House, that this Tax upon Salt was the most burthensome upon the Poor, and the most pernicious to the Trade of this Kingdom, of all the Taxes we are liable to. This, Sir, was one of the many Reasons for taking it off, and why we should so suddenly alter our Opinion, and resolve to grind the Face of the Poor, in order to relieve a few of the Rich, I can see no Reason ; I say, Sir, a few of the Rich, for it may be easily made appear, that the Relief proposed will be no Relief at all to the Landed Gentlemen of small Fortunes, and even to the Rich it will be but a small present Ease, which will be attended with most heavy and most fatal Consequences.

I had the Honour, Sir, to be one of those who were instrumental in getting this Clog upon our Trade removed ; I hope I shall have the Honour to be one of those who shall be instrumental in preventing its being forced upon us again ; for if this Duty be revived, I despair of ever seeing it again taken off. It is not always a certain Maxim, that those Taxes which are most General are least Burthensome : Upon the contrary, it holds true in all Countries, and at all Times, that those Taxes which are laid upon the Luxuries of Mankind are the least Burthensome ; and I believe in the most Luxurious Country upon Earth, I am sure as to this Country, it cannot be said that they are the most General : After a Nation is brought to that woful pass, that they must extend their Taxes further than the Luxuries of their Country, it is certain, that those Taxes which are raised with the least Charge to the Publick, are the most convenient and the easiest to the People ; but in all Cases particular Care ought to be taken not to tax those Things which are necessary for the very Subsistence of the Poor ; such Taxes always occasion Murmurings and Sedition among the People, and in such a Country as this, which subsists by Trade and Manufacture, such Taxes bring sure and inevitable Destruction ; for they enhance the Price of all Necessaries of Life, the Wages of the Tradesman and Manufacturer most consequently rise high, and where the Wages of the Workmen are high, the Manufactures of that Country never can be sold so cheap as the Manufactures of other Countries ; this must at last destroy their whole Trade, and I am convinced



convinced that no Landed Gentleman in *England* will chuse to save a Shilling in the Pound as to the Land Tax, even though he were to pay nothing in Lieu thereof, when by such a Saving he brings Ruin upon the Trade and Manufactures of his native Country.

I have, Sir, always appeared, and I hope ever shall appear zealous for the Support of the present Royal Family; as a Friend to our most happy Constitution, as a faithful Subject to his Majesty, I must declare against reviving this Tax upon Salt; for granting that the reducing of a Shilling in the Pound upon the Land Tax by the Revival of this upon Salt, were a real Relief to the landed Gentlemen (which is very far from being the Case) yet we must allow that for one that is eased or obliged by the reducing of the Land Tax, there will be 99 disobliged by the Revival of the Tax upon Salt; this must occasion such a general Dissatisfaction, and so much Grumbling amongst the People against his Majesty, that the keeping up of a Standing Army will become necessary for supporting him against the Disaffected; and by Experience we know, that where the Disaffection becomes very General, even the Army is not to be depended on, for in such Case most of them would probably join with the Discontented: It would become necessary for the Security of his Majesty's Person and Government to bring in an Army of Foreign Troops to prey upon the Bowels of our Mother-Country!

I have, Sir, as much Sympathy and Compassion as any Man, for the great Distresses that have been brought upon many of our Landed Gentlemen; and I flattered myself with the pleasing Hope, that they were now to be relieved; now when there is a profound Tranquillity established both abroad and at home, I could not so much as imagine, that it would be necessary to continue all our Taxes, and I could far less imagine that any Proposal would be made for relieving us of one Tax by laying on another much more grievous. No Man can expect that the Landed Gentlemen in *England* have so little Sense as to be cajoled in such a Manner. The Land Tax, it is true, takes from the Landed Gentleman a Part of his Rent yearly, but the Salt-Tax being a Charge upon our Trade and Manufactures, will at last disable his Tenants from paying him any Rent; and besides, it makes the maintaining even of his own Family much more expensive, so that at the End of the Year he will find himself no Gainer upon the Main, and his Tenants being

being ruined and undone, the Rents and the Value of his Estate will be decreasing yearly. I only desire that every Landed Gentleman that hears me, would consider what he could make of his Estate if we had no Trade, no Manufactures, nor any Number of populous trading Towns in *England*. Whoever considers this, must conclude, that in most Parts of *England* the Landed Estates would not in that Case, bring in yearly to their Landlords near the Rent they do at present; no, nor one Quarter thereof. Who then will be such a Fool as to desire to be relieved of One Shilling in the Pound upon the Land-Tax, when he must pay as much in another Way, to wit, for the Salt made use of in his Family, and when at the same Time he diminishes the yearly Value of his Estate much more than one Shilling in the Pound; nay, much more than any Land-Tax ever amounted to in *England*. The Land-Tax, *Sir*, is but an annual Diminution of a Gentleman's Estate; he may be free of it, or of a Part of it the succeeding Year: But if by the Decay of our Trade, and the Charge that is laid upon the poor Farmer, he be obliged to lower the Rents of his Estate, that will be a Diminution which I am afraid will endure for ever.

Before I have done, I must, *Sir*, take Notice, that the Salt-Duty, or a considerable Part thereof, was formerly appropriated to the Sinking Fund; yet this Duty was but two Years ago thought so grievous and so prejudicial to our Trade, that we then made no Scruple of encroaching a little even upon that Sacred Fund, in order to ease the People of so pernicious and burthensome a Tax: I am sorry to see the Opinion of any Gentleman, as to this Tax, so much altered in so short a Time; but if we do alter our Opinion, and revive this Tax, it certainly ought to be appropriated again to that useful Fund; if we do revive it without any such Appropriation, we make a most dangerous Precedent; whenever any of these Taxes that are now appropriated to the Sinking Fund, are wanted for another Use, it is but taking them off for one Year, and laying them on the next for a new Purpose; thus the Sinking Fund may be at last entirely exhausted, and our Debts remain for ever unpaid, without lessening any of our Taxes.

Capt. V——n rose up and spoke in Substance as follows: Mr. *Speaker*, *Sir*, I hope every Gentleman in this House has perused the short Account of the Money which has been brought into his Majesty's *Exchequer*, by

by the Produce of the Salt Duty from that Part of *Great Britain*, called *Scotland*, for the last ten Years; I have looked for that Account, but can find but one Article, and that Article is nothing. In the Space of ten Years, not one Shilling was ever brought into the *Exchequer*, from the Salt-Duty in that Country: How then can this Tax be said to be an equal Tax, when such a considerable Part of this Kingdom never paid one Farthing towards it; even by the Proposal now made, they are not to pay near so much as we are to pay in *South Britain*. But of that small Proportion that is to be laid upon them, it is probable no Part will ever come to the Publick Account: This Tax must therefore be unequal, because we in *England* are to bear the Whole of the Burden; *Scotland* is to bear no Part, and yet they are by the Articles of the *Union* obliged to bear their proportional Part of all new Taxes, more especially those which are raised for the Current Service of the Year. If it be said, that the People in that Country are not able to pay this whole Tax, it is a good Argument against the Tax in general; for no Tax ought to be laid upon the People, but those to which they can all contribute their Share: The People of *England* ought not to be charged with a Duty, and the People of *Scotland* left free; such unequal Charges will soon make every Man in *England* wish that the *Union* had never been made.

'Tis true, *Sir*, I cannot but applaud the Gentlemen of that Country for appearing in Favour of the Tax upon Salt; it is shewing a laudable Zeal for the proper Interest of their native Country: It is laying a Tax upon us, to which they contribute nothing, in place of a Tax, to which they have always contributed an equal Share. This, *Sir*, may justify their Conduct as to the Question now in hand, but I hope, the Gentlemen of the *South Parts of Britain* will shew the same Concern for the Interest of their Part of the *Island*, and I am glad to find that so many of them do shew such a Concern; for it appeared to me Yesterday, that the Question was carried against the *South Parts of the Island*, by the Votes of those Gentlemen, who come from the *North*. (Here he was called to Order, after which he went on) *Sir*, I design no Reflection upon any Man, but the Affair before us is of the utmost Consequence to the Interest and Trade of the whole Kingdom; our Liberties, our Properties, and every Thing that is dear to



us is at Stake. This seems to be a Step towards introducing a general Excise, which is inconsistent with the Liberties of a free People, and, *Sir*, when Life, Liberty, or Property is concerned, it will be found that every Man will fight; a Country Clown in *Huddon Gray* may perhaps shew as much Courage, and fight as well as a Soldier in Red: What! do we think, because a Fellow is a Beau, and dresses himself up with Powder and Essences, that therefore he has more Courage than another Man? I suspect there are many of those fine Gentlemen, who are afraid of letting the Wind blow upon them, for fear of blowing the Powder out of their Wigs, that could not, perhaps, bear the Smell of Gun-powder. As the Affair before us is of the utmost Consequence, so it ought to give us the more Concern, that if it passes in this House, there are no Hopes in the other: — In the other House we know, *Sir*, there is a peculiar Bench, which will (Here he was again called to Order, and was told by Mr. *Sp——r*, That no Gentleman was to throw Reflections upon any Body of Men, nor was any Member of that House, in any Thing he said, to take Notice of what was done, or what might be done in the other, then the Captain went on) *Sir*, It was not possible I could make any Reflection upon any Man, or upon any Sett of Men, for I had drawn no Conclusion. But let us do what we will, let both Houses (if they have a Mind) pass this Bill, it is so directly opposite to the Interest of the Nation, and to the Interest of our present happy Establishment, that I am convinced his Majesty will refuse giving it the Sanction of his Royal Assent.

*H——ce W——le. Sir*, I find some of those Gentlemen who have spoke upon the Affair in hand, are quite mistaken as to the Motion that has been made. If any new and unheard-of Tax had been thereby proposed, they might have some Reason for those Fears, which they have represented to us in so strong a Light; Murmurings and Grumbings among the People might be apprehended; but the Tax proposed is no new Tax, it is only proposed to revive a Tax which was raised upon the People of *England* for 34 Years together, and was always paid by them, without the least Grumbling or Complaint. By Experience, *Sir*, we are convinced that it is no way burthensome upon the People; and indeed, it is so little felt by them, that even since it was taken off, there is hardly a Man in the Kingdom that

that has been sensible of the Ease, or has in any Manner expressed his Satisfaction therewith: This shews that it may be revived without any Danger of overcharging any particular Man, or any Sort of Men. Every Man, I believe, that contributes towards the Land-Tax, is fully sensible of the Burthen that is thereby laid upon him; but who is it that ever was sensible of what he paid towards the Salt Duty, or has felt any Ease since it was taken off? It is a Duty that is paid by such a Multitude of People, that no single Man can any way feel what he pays thereto, which is a most evident Demonstration that it is one of the most easy Ways we can chuse for raising Money for the necessary Supplies of the Government.

Those Gentlemen who talk so much of its being destructive to our Trade and Manufactures, ought to come to Particulars; they ought to shew what Trade or Manufacture was lost or injured during the 34 Years that the Tax continued to be paid by the People of *England*; they ought to shew what Manufactures have become cheaper, or what Sort of Tradesmens Wages have been lowered since the abolishing of this Tax: If any one such Effect could be made appear, I should believe they had some Reason for what they say; but when the contrary Facts appear to be true, I cannot join in Opinion with them. During the whole Time that this Tax continued, there never was any one Manufacture thereby lost, our Trade never flourished more than it did in that Course of Time; and since the Tax was taken off, we all know that no Trade or Manufacture has been thereby improved, nor have the Wages of one Workman in the Kingdom been diminished; the pretended fatal Consequences of this Tax must therefore be all imaginary.

As this Tax upon Salt is one of the most equal and easy Taxes to the People, so there is not any one Tax can be proposed, that may be raised with less Expence to the Publick: The Method of raising it costs but very little more than the raising of the Land-Tax will cost: Whatever Difference there may be, is much more than attoned for, by the Justice and Equality of the Tax upon Salt, and by its being so general, that it becomes altogether insensible; whereas the Land-Tax is one of the most Unequal, and one of the most Grievous upon those who pay it, of any Tax that ever was raised in this Country. It is a Tax that is wholly charged upon a

very few of the Inhabitants of this Island, who have been for many Years obliged to bear the greatest Part of the Publick Charge, and have many of them been ruined and undone for the Benefit and Advantage of others. If we but once seriously consider, what wretched Circumstances many of the Landholders in *Britain* are at present in, we cannot surely make the least Hesitation in giving them Relief from the Oppressions they have so long groaned under, by laying on another Sort of Tax, which never was, nor ever can be felt by any Man breathing: A Tax which is so just that every Man contributes to it in Proportion to the Benefit he receives, in Place of a Tax, by which a few are obliged to contribute the whole of the Charge, though they receive but a hundredth Part of the Benefit.

We have likewise, *Sir*, been frightened with the Name of a General Excise, and with the Loss of our Liberties and Properties. As to the last, the Bugbear will vanish, if we but reflect upon the Great Men that were at the Helm of Affairs, when the Salt-Tax was first laid on. It was first laid on in the Reign of the late King *William*, the glorious Restorer of the Liberties and Properties of this Nation: In his Time it first had its Being, and was contrived and advised by a Set of Ministers, who will for ever be respected for their great Wisdom, and whose Memories will for ever be sacred, for the great Attachment they always shewed to the Constitution and the Liberties of this Kingdom. As for a General Excise, I never heard of any such Design, I am sure no Man that I know had ever any such Thing in his Thoughts, nor can the Reviving of the Salt-Tax any way contribute to such a Design. I must say, that I think many of our Customs are heavy upon Trade, and very troublesome to our Merchants; and therefore, if some of the most grievous of them were turned into an Excise, it would be of great Advantage to the Nation, and might, I believe, be easily done without endangering in the least, our Constitution, or incroaching upon the Liberty or Property of the Subject: But as there is at present no such Proposal before this House, we have no Occasion to take such a Thing into our immediate Consideration.

*Sir W——m W——m.* *Sir*, I could not indeed but suspect from the Manner of introducing this Motion, that something very extraordinary was to follow. I find I am not disappointed, for in my Opinion, it is  
one



one of the most extraordinary Motions that ever was made in this House. Under the specious Pretence of giving an immediate Ease to the Landed Gentlemen, we are to revive a Tax, which will lie as heavy as the Land-Tax upon most of them, and which is not only destructive to the Trade, but inconsistent with the Liberties of this Nation. I agree most heartily with the Gentleman who made the Motion, That many of our Landed Gentlemen have been reduced to most miserable Circumstances, by the heavy Burthens they have borne for so many Years; but their Misery is not to be ascribed to the Land-Tax only, every one of our other Taxes contributes its Share, and no Tax contributed more to the general Misery of the whole Nation, as well as of the Landed Gentlemen, than this very Tax, which is now proposed to be revived. It is indeed become necessary to continue the Land-Tax upon the former Footing, or to impose some new Tax in Room thereof; but from whence does this Necessity proceed? Why, from maintaining a greater Number of Land-Forces, and putting ourselves to much greater Charges, than we have in my Opinion any Occasion for. It has always been the Case, it always will be the Case, *Sir*; One wrong Measure must for ever give Birth to another, that to a Third, and so on till Publick Ruin becomes inevitable, if no Redress be offered in Time, which never can be effectuated, but by altering the former wrong Measures, instead of supporting them by worse.

I am sorry, *Sir*, to find, that we are reduced to this Extremity, that we must either lay on a Land-Tax, which seems to be agreed by all to be heavier than the Landed Gentlemen of this Nation are able to bear, or otherways we must lay on a Tax, which in the Opinion of, I hope, the Majority of this House, is of much more fatal Consequence. How fatal, *Sir*, is this Necessity? Our Landed Gentlemen must be ruined, or the whole Nation must be undone! It is certain, *Sir*, that every Tax is an Evil, and an Evil that ought to be avoided, if possible; the corrupt Nature of Mankind has made some Taxes necessary for the Support of Society; and we find to our Cost, that Taxes, like other Evils, are fruitful in the Begetting of one another: But when we come to make a Choice between two Taxes, of the two Evils we certainly ought to chuse that which is least; and since we have by our former Resolutions

made

made one of the Two now under Consideration necessary, we ought now to examine strictly which of the two is the least Evil.

I have, I hope, *Sir*, as deep a Sense of the Miseries and Sufferings of my Fellow-Countrymen as any Man in this House, and when I speak of charging Land in place of charging Salt, I am certain, and I believe every Man that knows me, will think, that I speak against my own Private Interest; and therefore I flatter myself, that those who hear me, will think I am sincere in what I say. It is very true, *Sir*, that the Reducing of the Land-Tax would be a great Relief to the Landed Gentlemen, if it could be done without taking as much from them in another Way. The Land-Tax is indeed a heavy Charge upon the Landholders of this Kingdom; but that is the only Evil attending it; I cannot grant that it is so unequal as some Gentlemen have been pleased to represent; every Man ought to pay to the Publick Charge in Proportion to the Benefit he receives therefrom; a Poor Man who has no Property, ought not certainly to be charged for the Defence of Property; he has nothing but his Liberty to contend for, and for the Defence of that only he ought in Justice to be charged; whereas a Man who has an Estate, has Property as well as Liberty to contend for, and for the Defence of both he ought to be charged. Liberty may be equally dear to every Man, but surely he that has the largest Property, ought to contribute most to the Publick Expence.

The heavy Weight that lies upon the Landholders, is I say, *Sir*, the only Evil attending the Land-Tax, but in considering the Evils that necessarily attend a Tax upon Salt, the Land-Tax will upon the Comparison be found to have many Advantages: One of the great Evils of a Salt Tax, I may say the greatest, because it strikes at our Constitution, is the great Number of Officers which must be employed in collecting that small Branch of the Revenue. These Officers are all named by the Crown, and being spread all over the Country, must have a great Influence in Elections: This, *Sir*, throws a greater Power into the Hands of the Crown, than is in my Opinion consistent with the Liberties of this Nation. If it ever shall happen to be the Misfortune of this Nation, to have a Sett of wicked Ministers in the Administration, and a weak, or an ambitious Prince upon the Throne, the great Number of Officers employed

employed in collecting the Publick Revenue, must be of the most dangerous Consequence to our happy Constitution; and therefore we ought not upon any Pretence whatsoever, to increase the Number of those Slaves of an Administration. As to this Evil, the Land-Tax has by much the Advantage of the Salt-Tax; in the first there are few or no Officers employed; the last will make an Addition of six or seven Hundred to the Number of Officers we had before. This Tax upon Salt is likewise a dangerous Precedent; it is one Step towards a General Excise; from this which is really an Excise upon Salt, we may come to have an Excise laid upon every thing we can either eat or drink. It would be dangerous to begin to raise even the Taxes we now pay by the Method of Excise, both because it would be a bad Precedent, and because of the Uncertainty of the Produce: If the raising them by Excise should produce less than they now do, they could not answer those Payments for which they are appointed; and if it raised more, it might (considering the present Establishment of the Civil List) throw more Money into the Hands of the Crown, than would be consistent with the Freedom of the People.

Another Advantage which the Land-Tax has over the Tax now proposed, is, that the Raising of a Shilling in the Pound, costs but a meer Trifle, and is subject to no Frauds; the Whole, I may say, that is raised from the People, comes to the Use of the Publick, and to the Benefit of the People; the Case is quite different as to the Tax upon Salt; it is impossible to raise the Salt Duty without employing a great Number of Officers, they must all have Salaries, besides the Perquisites and Gratuities which always have been, and always will be given to Men in such Offices: The honest Part of Mankind can never get common Justice from them without paying the Perquisite, and the fraudulent Part of the Nation will always purchase their Connivance by large Gratuities; thus a very large Sum will be raised upon the People, and but a small Part thereof will ever come to the Use of the Publick, or to the Benefit of the Nation. This was formerly the Case of this Duty upon Salt; there was always a great Difference betwixt the Gross and Neat Produce thereof, and there never was any Tax in this Country that gave so much Occasion to Frauds and Perjuries; the Tax is so much above the proper Price of the Commodity upon which it is raised,  
that



that it always was, and always must be a great Temptation for People to perjure themselves, and cheat the Publick.

I am surprized, *Sir*, to hear any Gentleman doubt of this Duty upon Salt being heavy upon Trade, and prejudicial to the Manufactures of the Nation. It is so easy in this Case to come to particular Instances, that I defy any Man to name one Trade or Manufacture that it is not prejudicial to: Can any Man suppose it does not enhance the Price of all Provisions, and by enhancing the Price of them it becomes a Charge upon every Manufacture in particular; but upon our Navigation it is insupportable; every Ship that sails from this Kingdom, must pay dear for her Salt Provisions, or must go to some other Place to take them in: Do not we know, *Sir*, that many of our Merchant Ships for these several Years last past have gone to *Ireland* to take in the Salt Provisions necessary for their intended Voyage? If this Tax had been discontinued for any Number of Years, they would probably have returned to victual in our own Ports, as they always did before the laying on of this Tax upon Salt. Even the short Time it has been discontinued, has shewn what a Disadvantage the reviving of it will be to the Improvement of Land. Since the Tax was taken off, several Experiments have been made for the Improvement of Land by the Means of Salt, and they have all answered to Admiration. The Revival of this Tax cannot therefore proceed from any Compassion for the Landed Gentlemen, since we thereby prevent the Improvement of their Lands; and a very small Improvement of the Rent of an Estate is worth a great deal more than one Year's Land-Tax at a Shilling in the Pound will amount to even upon a very large Estate.

But in the present Case, *Sir*, we not only prevent the Improvement of Land Estates, but we really take as much from almost every Landed Gentleman in another way, as he saves by the Diminution of the Land Tax; and at the same time we take so much from every one of his Tenants, as to disable them, or some of them at least, from paying the same Rent they formerly paid. In all well-regulated Countries great Care is taken, that the poor Farmer shall not be overcharged. Where is there a more flourishing, or a better cultivated Spot of Ground in the World, than our neighbouring Country *Flanders*? Yet what Ravages, what Desolations has that

that poor Country suffered by contending Armies? What is this to be ascribed to? certainly to that wise Politick of the Landlords, established as a Law in that Country, that whenever any Farmer suffered any Loss in his Farm by the Incampments or Depredations of an Army, he paid no Rent for that Year to his Landlord: By that he was enabled to support the Loss, and to repair the Damages for the Benefit of his Landlord as well as himself. Do we not see the Effects of a contrary Politick in *Poland*? There, the poor Tenants are racked and oppressed, and for that very Reason one Half of that Country, which is naturally one of the most fertile in *Europe*, lies waste and uncultivated. This will always be the Consequence, when a Landlord charges his Tenant for the Sake of a small Ease to himself.

We have already, Sir, so many Taxes, so many Impositions; the Price of every Thing is thereby so much enhanced, that none of our Manufactures can be sold in a Foreign Market so cheap as the same Sort of Manufactures are sold by our Neighbours. To this only, the great Decay of our Trade is to be imputed; and if it had not been for some natural Advantages, it would have been before now entirely lost and gone. It would have been happy for this Nation, if they had always raised the Supplies within the Year: We severely feel the Effects of this Error in Politicks committed by the Generation before us: And yet shall we with our Eyes open go on in the same Track, and doubly load our Posterity for a small present Ease to ourselves? We are told, that this Tax is to continue but for three Years; but I plainly see, that it must be continued longer: By Computation it is allowed that 500,000 *l.* may be raised by this Tax, in the Space of two Years and a Half, from whence I foresee, that at the End of three Years we shall be told, that there being Half a Year good in Hand, the continuing it but for two Years longer, will raise such another Sum. I do not doubt, but that at the End of this three Years, we shall be under a much greater Necessity of raising such a Sum by extraordinary Means, than we are at present, at the End of five Years it may be the same, and thus it may for ever continue.

Even the landed Gentlemen, if they consider their own Interest, never will desire to be eased as to the Land-Tax, by laying on any other Tax in Place thereof. In such a Case the Landed Gentlemen will al-

ways find, that what they save by this Ease as to the Land-Tax, is more than exhausted by what they pay out of their own Pockets, towards the Tax laid on in its Room; and at the same Time the poor Tenants and Farmers are oppressed, and the Trade of the Country undone. Let us but suppose, that the Sum of five Millions were to be raised, and this I believe is as large a Sum as the nett Produce of all our Taxes will amount to. If this Sum were to be all raised by a Land-Tax, it would amount to ten Shillings in the Pound: This indeed would be a most grievous Tax, but let any Gentleman compute what he now pays under the present Method of Taxation, towards the Land-Tax, towards the Malt-Tax, towards the Window Lights, and by the advanced Price of all the Necessaries and Conveniencies of Life, which he either makes Use of in his Family, or is obliged to call and pay for when he is abroad; I believe he will find, that in the Year's Time it amounts to more than if he were to pay a Land-Tax of ten Shillings in the Pound, and at least to as much again upon the rest of the People. This, *Sir*, is the unavoidable Consequence of our present Method of Taxation. The Charge is so great, and the Advantages taken by the Merchant and Retailer are so extravagant, that one Half at least of what is raised upon the People, never comes to the Use of the Publick. It is so far, *Sir*, from being laid out, or expended for the Benefit of the People, that it may some time or another be turned towards the enslaving of them. From whence, *Sir*, I think it is as demonstrable as any Proposition in *Euclid*, that if we actually paid a Land-Tax of ten Shillings in the Pound, without paying any other Excises or Duties, our Liberties and our Properties would be much more secure, and every Landed Gentleman might live at least in as much Plenty, and might make a better Provision for his Family, than under our present Method of Taxation.

I shall conclude, *Sir*, with observing that as this Tax falls most grievously upon the Poor, and as they are by far the Majority of the People, it must of Consequence raise a general Murmuring and Discontent against the Administration: By this the Government for their own Security, will be obliged to keep up a numerous standing Army; this will be a new Ground of Complaint among the People: They will at last begin to think, that their Liberties and their Properties are really in Danger; and I hope the People of this Nation will



always have Courage enough to dispute so sacred, so valuable a Prize; but cursed must they be, whose Measures shall occasion such a Contest.

Mr. D——*s* spoke to the Effect as follows. *Sir*, We have heard a great deal of the Inequality of the Land-Tax, and great Complaints, that notwithstanding of its being raised for the Good of all, yet there were but a small Part of the Nation that contributed any Thing thereunto; I grant, *Sir*, that it is so far unequal; but then as no Man contributes but he that has an Estate, it cannot be said, that it is insupportable to any Man; and it must be allowed, that the rest of the Nation are quite free from that Burthen. But this Tax upon Salt is as unequal as the other, for there are a great many Gentlemen in this Nation, the greatest Part of whose Estates consists in Salt-Works, and by this Tax there will be at least one sixth Part, I may say one fourth Part of these Estates taken from them. The Inequality therefore is as great with respect to this Tax, as with respect to that upon Land; but no Man, no Person in the Nation can be free from this Tax upon Salt, it must be burthensome upon all, and insupportable to a great many. I have the less Reason to be against the reviving of this Tax, because by the Articles of the *Union*, that Part of the Country which I come from is to be free therefrom, or at least from the greatest Part thereof: Nor can I think that the taking off of a Tax, for one Year, which *Scotland* is by the Articles of the *Union* to be free from, and laying it on the very next Year, will ever afford a Pretence for the charging of the People of *Scotland* with the Payment of such a Tax, otherwise it would be easy to subject them to all those Taxes and Duties which they are declared free from, by the Articles of the *Union*. This, *Sir*, is my Opinion, but I shall be very sorry ever to see any Thing brought into this House, that may possibly bring any one of the Articles of *Union* into Question, or so much as raise a Doubt about the Meaning and Intention of any one of them: Explanations in that Affair will always be dangerous, and every Man who wishes well, either to his King or his Country, will endeavour as much as he can to avoid coming to any such. If there were no other Reason, *Sir*, for my being against this Duty upon Salt, this one is enough to me, that there appears to be several Gentlemen in this House, who are of a different Sentiment from me, with respect to the

Meaning and Intention of that Article of the Union, by which *Scotland* is declared free from the Duties then payable upon Salt. I hope all the Gentlemen of my own Country at least are in this Point of the same Sentiment with me, and consequently as they have very little to do in the present Question, I hope they will at least withdraw, and not join in laying a Tax upon their Neighbours, which their own Country is not to bear an equal Share in.

It is well known how many Frauds and Perjuries were committed during the Time that there was a Duty upon Foreign Salt, and Drawbacks allow'd upon the Exportation of Fish cured therewith. How many Ships were sent out with Fish, pretended to be so cured, which never carry'd any to a foreign Market? Do not we know, that some Ships have been enter'd, or at least pretended to have been enter'd, and the Drawbacks for the Cargoes of such pretended Ships, have been not only allow'd, but paid, and yet it was afterwards discover'd, that no such Ship was ever built? One Gentleman was obliged to fly his Country for such Practices; 'tis true, he afterwards got a Pardon, and soon after, a Commission in the Customs: How he came to deserve such Favour and such Preferment, is more than I can tell; but I am sure no Man ever was, or will be deterred from being guilty of such Crimes, by the Severity of the Punishment he met with. The Multitude of those Frauds committed by the Exporters, or pretended Exporters of Fish cured with foreign Salt, was so great, that the Government was obliged at last to take the Duty entirely off of foreign Salt, and every Man was allowed to import Duty-free, as much as was necessary for curing all the Fish he exported to any foreign Market: What was the Consequence? Why, under this Pretence of curing Fish for a foreign Market, a great deal of foreign Salt was imported publicly, and afterwards privately sold about the Country for all the Uses in Life; and it is well known, the Proprietors of Salt-Works know it to their Cost, that while the Duty continu'd upon home-made Salt, there was none of it ever made Use of in many Parts of this Island. If this Tax be revived, the same Frauds will be renew'd; and Frauds there will be, put it in what Shape you will: If you revive the Duty on foreign Salt, there will then be Frauds as to the Drawbacks; if you revive the Duty on home Salt, without laying a Duty on the Importa-  
tion

tion of foreign Salt, then in several Places of the Country, they will fall upon some fraudulent Way or other of getting foreign Salt for all Uses; whereby you will increase the national Expence, and in a little Time destroy most of your own Salt-Works.

The Independency of this House has of late Years been much talk'd of; I hope it will always be independent: But I must say, *Sir*, that if a Scheme had been laid down for making this House dependent upon the Crown, a more easy, a more effectual, a more certain Method could not have been contriv'd for the Success of such a wicked Scheme, than this of reviving the Salt Duty. By this Duty there is so large a Sum yearly raised, and so little brought to the publick Account, that it may really be most properly called, a bribing us with our own Money. I am sure his Majesty never can think of such a Scheme; he has the Interest of the Nation, and the Benefit of Mankind too much at Heart, to let any such Schemes ever enter into his Thoughts; but every Man is sensible, that a great Number of Officers, all named by the Crown, and removeable at the Pleasure of the King, or of those in the Administration, may have (if so apply'd) an Influence upon the Elections for Members of Parliament; and considering the Time that this Duty is now laid on, that it is laid on for three Years only, and that within that Time there is to be, as it is hoped, a new Choice of Representatives, one who does not know his Majesty's good and just Intentions, will be apt to suspect, that the laying on of such a Tax at such a critical Juncture, is with Design to influence the approaching Elections. I shall always be against any Measure that may give the meanest of his Majesty's Subjects the least Cause to suspect that his Majesty ever had a Design of making Use of any such Influence. I am convinced, he has no such Design; I firmly believe he never will form any such Design; but as much the greatest Part of the People live remote from Court, and have no Opportunity of knowing his Majesty's real Intentions, they may put wrong Constructions upon Things; and therefore no Man, who is a sincere Lover of the present happy Establishment, ought to agree to any Measure, which is in its own Nature liable to be misapprehended, and apt to raise Jealousies and Fears among his Majesty's faithful Subjects.

*Sir*



Sir R. W. spoke again to the following Effect : Sir, Though I had examin'd this Affair with the utmost Accuracy I was capable of : Though I was convinced that what I was to propose, was for the publick Good, and for the Relief of those who have been long oppressed ; yet I expected that the Motion I was to make, would meet with Opposition, either from those who have not so thoroughly consider'd this Matter, or from those whose particular Interest or private Views lead them to be against it. However, this Difficulty and Trouble which I foresaw I was to encounter, did not, nor ever shall deterr me from offering to this House what I take to be for the good of my Country, and for the Relief of those in Distress. All Publick Assemblies must for ever be composed of Persons who have different Ways of Thinking, different Interests, and different Ends. Every Tax that can be proposed, will be objected to by some of those who are to pay it ; and the most unequal Tax will be approved of, and preferred to the most equal, by those who are to contribute nothing, or a very little thereto. The Journals of this House may afford us many Examples of Petitions presented, and a most vigorous Opposition made, to Things that have in their own Nature appeared to be an universal Benefit to Mankind. Those who live by the Necessities of Mankind, will for ever oppose what is proposed for their Relief ; from hence it is, that we always see great Opposition made to all Attempts for improving the Navigation of Rivers, or of waste Lands and Commons ; we are therefore, Sir, never to conclude against the publick Benefit of any Proposition, because we see it violently opposed.

Envy and Malice will often prompt Men to oppose what is apparently for their own immediate Benefit, as well as for the Benefit of their Country. Every Man, I believe, even in a private Station of Life, has Enemies ; but those who are in any publick Station, have always a great many. Those who envy them, will always grudge them the Glory of doing any thing for the publick Good, and will endeavour to defeat, or to give a wrong Turn to whatever they propose for the Benefit of their Country, or for the Ease of the People. I do not believe that any Gentleman in this House opposes what I have moved for from any such Motives. I am perswaded that the Opposition made thereto proceeds entirely from their mistaking the Case before us, and therefore

therefore I shall endeavour as much as I can, to remove those Mistakes, and shall think the Pains I am at well bestow'd, if I can thereby convince any one Gentleman of this House of the Error he has been in.

The Influence to be added to the Power of the Crown, by the Addition of such a Number of Officers, as must be employ'd in the collecting of this Revenue, is, I find, a mighty Objection against the reviving of this Duty upon Salt. I am sorry, *Sir*, to find that any Gentleman should think so meanly of his Native Country. Our Liberties and our Properties would indeed be in the most imminent Danger, if an Addition of 4 or 500 Officers could add such a terrible Influence to the Power of the Crown. But, *Sir*, we have the Experience of above 30 Years, to convince us of the Unreasonableness of such Apprehensions; and during a great Part of this Time, the Crown had, besides this Number of Salt Officers, a much more numerous Army than it has at present; consequently the Power of the Crown must have been much greater than it can be made by what is now proposed; and yet it was never found to be too great; but on the contrary, the Crown was always obliged to sue for, and to submit to the Inclinations of the People. While the Power of the Crown is properly apply'd, and made Use of only to defend the Liberties and Properties of the Subject, the Crown will always have the Inclinations of the Majority of the People in its Favour. This is the natural and just Influence which the Crown ought to have, and I hope it will never have any other in this Kingdom. We know that the Factious and Disaffected have always exclaimed against the Number of Officers, and have alledged that the Disappointments they met with, in their Opposition to the most just and the most reasonable Measures proposed by the Court, proceeded from the Influence of such Officers; but it is evident, that the People of this Nation never could be brought by such Influence, to do any thing that was inconsistent with their Liberties and Privileges: And as there is no greater Number of Officers now proposed, than what was before employ'd when this Duty was subsisting, it cannot be presumed, that this Influence will now be greater than it has been in Times past. Do not therefore let imaginary Fears and vain Apprehensions deter us from giving a Relief to the most distressed Part of our Fellow Subjects.

Another

Another Bugbear raised against this Duty on Salt is, that it is a Sort of Excise, and may be a Precedent for introducing a General Excise. I am persuaded that no Man ever thought of introducing a General Excise into this Country; I can answer for myself, I never did; but because there is such a Term as a General Excise; because there may be such a Thing in some Countries; shall we therefore admit of no particular Excise, nor any Duty upon any particular Commodity? We may as well say we will pay no Tax, because in some Countries that have the Misfortune to be subject to arbitrary Power, they are oppressed with Taxes. An Excise is only a Word for a Tax raised in a different Manner; and if it be found by Experience, that our present Method of raising our Taxes is more burthensome upon our Trade, and more inconvenient and expensive to the Merchant, than the raising them by Way of Excise would be, I see no manner of Reason why we should be frightened by these two Words, *General Excise*, from changing the Method of raising the Taxes we now pay, and chusing that Method which is most convenient for the Trading Part of the Nation. The laying of an Excise upon one Commodity, or upon one Sort of Provisions, can no more be a Precedent for a General Excise, than my giving a poor Man half a Crown, can be a Precedent for my giving him my whole Estate. We find that the Method of raising Taxes by Way of Excise, is not absolutely inconsistent with Liberty; we find it is the Method by which most of the Taxes are raised in *Holland*; and their Method is reckon'd much more preferable to ours, by all those who understand any Thing of Trade; yet no Man can say but that the *Dutch* are a free People, and are as jealous of their Liberties as any People ought in Reason to be.

There are at present no Thoughts of converting any Duty into an Excise; but if all or most Part of our Customs were converted into Excises, I am persuaded it would be beneficial to our Commerce in general, and there is no great Fear of its adding so much to the Civil List; for notwithstanding the great Clamours that have been raised upon that Head, it appears, that from his Majesty's Accession, to the Year 1731, even including the 115,000*l.* granted by Parliament to make up the Deficiency of the Civil List Revenue, the Produce of all those Duties appropriated to the Civil List, has not in the whole amounted to 800,000*l.* per Ann. which is the



the Sum that has been judged by Parliament to be necessary for supporting the Charge of his Majesty's Civil List; so that if by the Method of Excise these Duties should produce a little more, and it is not to be presumed that they can produce a great deal more, they will only make up that Sum, which the Parliament have thought themselves obliged in Justice to make good to his Majesty.

I must say, *Sir*, I am surprized at the Proposal that has been made for laying this whole Tax upon Salt made in *Scotland*; I am persuaded the Gentlemen are not serious in what they propose; I reckon it was made only to divert the Principal Question, and to oblige the Gentlemen of that Country to be against it, not because they disapprove of it in the Main, but for fear their Country should be by an After-Resolution charged with a Duty which by the Articles of the Union they are declared free from *for ever*. The Salt Duty now proposed to be revived, was granted at two several Times; one was for but 1 *s.* *per* Bushel, the other was for 2 *s.* 4 *d.* *per* Bushel. At the Time of making the Union, the *Scotch* Commissioners were willing that their Country should after a certain Term of Years be subject to the 1 *s.* *per* Bushel; but they declared that their People could not possibly afford to pay the additional 2 *s.* and 4 *d.*; and therefore they insisted upon their being free from it *for ever*, which of our Side was agreed to. The Act of the 9th and 10th of King *William* had imposed this Duty of 2 *s.* and 4 *d.* *for ever*, and therefore that Article of the Union relating to this Duty upon Salt was drawn up in these Terms: That the *Scots* should be exempted for seven Years, from all Duties whatever on home-made Salt, after which they were to pay the Duties levied in *England*, with this Exception, and in these express Words, *That Scotland shall after the said seven Years, remain exempted from the Duty of 2 s. 4 d. imposed on home-made Salt, by an Act made in England in the 9th and 10th Years of King William III. of England.* Can there be any thing more express than this? By the Act therein mentioned, the Duty was expressly to continue to be levied in *England for ever*. Is it not therefore evident, that by the Article of the Union referring to that Act, the *Scots* are *for ever* to be free from that Duty? shall we be so unjust, shall we be so ungenerous, as to make Use of a down right Quirk in Law to subject those People to a Duty, which by the Agreement between us,

they are *for ever* to be free from ? This was the express Stipulation between the two Nations at the Time the Union was made. How captious then must it be to say, that the Exemption can only bear a Relation to the Duty imposed by that Act ; and cannot be claimed with respect to the same Duty now to be imposed by a new Act ? If such a Pretence were to be admitted, if taking off any Duty imposed by former Acts, under which the People of *Scotland* were entitled to an Exemption, and laying on the same Duty again by a new Act, were admitted of as an Avoidance of their Claim of Exemption, of what Force can any such Article of Agreement be ? Have we it not in our Power at this rate to defeat every Exemption which the *Scots* are entitled to by the Union ? For it is but repealing that Act under which they claim an Exemption, and then in a Year or two afterwards imposing the same Duty by a new Act. Thus the *Scots* might be at once subjected to those Duties which they are not able, which they ought not to bear. But would it be fair, would it be candid in us to make Use of such a Subterfuge, against a Nation that has trusted so much to our Honour ?

This Tax cannot therefore be said to be unequal, because *Scotland* does not pay as much as is paid in *England*. The People in that Country are to pay as much as they ought to pay, and as much as we can in Justice or Equity demand. Nor does it signify whether the Share they pay be sent up here or not : They have an equal Right to be protected and defended ; the protecting and defending the People of that Country is a Part of the Publick Charge : It is a Part of the National Expence, and must be defrayed out of the Publick Revenue ; and the applying of the Money raised in that Country towards the publick Expence in that Country, is the same as if it were sent up to the *Exchequer* here. We ought to be the more careful of that Part of the Island, because we have found by Experience, that there can be no Invasion upon, nor any Commotion among the People in that Country, but what must soon come to affect ourselves. For our own Safety then we are obliged to be at the Charge of defending them, and consequently it can be no Objection against any Tax, that the Produce thereof arising in *Scotland*, is applied to the answering of such a Purpose. Nor is this Tax unequal, because of the Loss that the Proprietors of Salt Works may sustain, for none of their Estates can be thereby diminished. The Tax is

not

not paid by the Maker, or by the Seller, but by the Consumer; and the Charge comes to such a Trifle upon every particular Man, that it cannot be pretended that any Man will consume less Salt than he did before; if there were no such Tax, no Man would make Use of more Salt than he had occasion for, and the Tax makes so small an additional Charge, that it will never oblige any Man to make Use of less.

The great Charge of raising this Tax, has been made Use of as a weighty Argument against it; but when we come to make a Comparison between this and the Land-Tax, the Difference will be found to be but inconsiderable. If proper Allowances are made, it will be found that the raising of this Tax upon Salt will not cost the Government above 22,000 *l. per Annum*. The Land Tax we know costs the Publick by Parliamentary Allowance and other necessary Charges of Management, at least 13,500 *l. per Annum*; besides this, there is an Office kept in Commission on purpose for superintending it, which costs above 4000 *l. per Annum* more; so that the Land Tax really costs the Publick about 18,000 *l. per Annum*. Thus the Difference between the Charge of raising the Salt Tax, and that of raising the Land Tax appears at last to be but 4000 *l. per Annum*, which is not Half a Farthing in a Year to every Person that is to contribute thereunto. Shall we then for the Sake of saving this 4000 *l.* a Year to the Nation in general, or this Half a Farthing to every particular Person; shall we, I say, for this Reason continue to oppress the Landed Gentlemen, contrary to all Equity and Justice, and refuse to approve of a Measure by which they are to be relieved, without throwing any sensible Charge upon any one Man in the Nation? If the Difference were much higher than what it is, is it not with respect to the Nation in general amply repaid by this, that in continuing the Land Tax at Two Shillings in the Pound, the Nation is obliged to raise the whole Sum wanted within one Year? whereas if the Land Tax is put at One Shilling in the Pound, and the Salt Tax laid on in Place of the other Shilling, the Nation has three Years to raise that Sum, which otherways is to be raised in one. Every Man in common Life, would rather chuse to have three Years for the Payment of a Debt, than to be obliged to pay it in one: Every Man would be glad to pay something for such an Indulgence, and a great deal more in Proportion than the Difference



of the Charge in raising those two Taxes can ever amount to.

The great Difference that always appeared between the gross and nett Produce of this Duty, has been made Use of as an Argument to shew the great Charge of collecting this Revenue, and to convince us that there was always a great deal more raised from the People, than ever came to the Benefit of the Publick; but this Argument will quite vanish when the Matter is set in a clear Light; it will then appear, that those Gentlemen are in a very great Mistake: They have always called that the gross Produce, which never was any thing but the gross Charge; these are two Things of a very different Nature, and therefore they never ought to be confounded by those who have a mind to form a right Judgment about any Branch of the Revenue. We know that while this Duty was subsisting, the gross Charge was generally reckoned, *communibus annis*, at about 470,000 *l.* per Ann. but then there were a great many Articles charged to this Branch, which never were really produced or paid to it, and consequently they never can be reckoned any Part of its gross Produce. I shall take Notice of the most considerable of those Articles which were charged and brought to the general Account of this Branch, without ever being produced or paid by any one Person, and therefore it is certain that they never could be looked on as a Charge or Burthen upon the Subjects of this Nation.

In former Times, while this Duty was subsisting, we know that all Salt was charged with Duties when sold and delivered from the Works, and consequently from that Instant it became an Article of the gross Charge of this Revenue; but then whatever Salt was bought by any Person who had a mind to export the same, he paid no Money for the Duties then charged upon the Salt he had bought, but entered into a Bond to pay the Duty, which Bond was cancelled upon a Debenture made out, certifying the Salt to have been exported. From hence it appears, that for all the Salt that ever was exported, there never was One Farthing of Money actually paid by the Subject; and by the Books it appears, that this one Article alone at a Medium, amounted to 120,000 *l.* per Annum. As no Part of this Sum was ever produced or paid by any Person, therefore it cannot be reckoned as a Part of the gross Produce, though it was always reckoned as a Part of the gross Charge.

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Another considerable Article arose from what was allowed for the Fishery ; for Curers of Fish paid no Duty, neither did they give Bonds for what Salt they used in curing of Fish ; but the Quantities which they took up for that purpose, were all entered in the Accounts of the Office, as a Part of the gross Charge of this Duty, but were all discharged upon due Proof given, that the Salt had been used in curing of Fish ; and this Article amounted as a Medium to 51,000 *l. per Annum*, which is likewise to be deducted from the gross Charge.

Rock Salt was charged with the Duty at the Pits, and a great deal of this Rock Salt was afterwards melted down, and made into White Salt, which was also charged with the Duty, and both these Duties were charged in the Accounts of the Office ; but the Refiner or Maker had an Allowance for so many Bushels of Rock Salt, for which the Duty had been charged, as he had melted down and made Use of in making White Salt. This Article generally amounted to about 36,000 *l. per Ann.* and is to be deducted from the gross Charge.

It is well known that the whole Sums payable for Duties were always charged in the Books of the Office ; and yet there was always a Discount for Prompt-Payment allowed, which amounted to about 20,000 *l. yearly* ; and besides this, there was another Allowance for Waste on Salt carried Coastwise, which one Year with another came to 11,000 *l. per Annum*. There was likewise an Allowance for Salt lost at Sea, and an Allowance or a Drawback upon Salt Beef and Pork exported, both which amounted to 1650 *l. per Annum*. All these Sums added together amounted to 239,650 *l.* and as they never were raised upon the Subject, or if raised were always returned, therefore they must all be deducted from the Gross Charge, and the remaining Sum only, which is 230,350 *l.* is to be reckoned the Gross Produce. From which if we deduct the Charges of Management, to wit 25,000 *l.* there remains 205,350 *l.* which is the Nett Produce. And if from this we deduct the Bounties paid annually to the Exporters of Fish, and which must be paid whether we revive this Tax or not, these Bounties amounting yearly to the Sum of 19,000 *l.* the remaining Sum will then be the Nett Sum to be paid into the *Exchequer*, to wit 186,350 *l.* on the Credit of which 500,000 *l.* is now proposed to be raised.

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By this short Abstract of the Account, it will, I think, *Sir*, most evidently appear, that there is nothing in that Argument so much insisted on, that there is a great Deal more raised upon the People than ever can come to the Benefit of the Publick. There is no evading of Facts, and upon the most exact Examination of them it appears, that every Shilling that is actually raised from the People, comes to the Use of the Publick, except this Sum of 25,000 *l. per Annum*, allowed for the Management of this Revenue. And even this 25,000 *l.* is all to be given to our own People; many Families may be thereby maintained who would otherwise be a Burthen upon their Country; and thus the greatest Part even of that Sum will come to be useful to the Nation in general, and may therefore be properly said to come to the Benefit of the Publick.

Great Complaints have been made, and a great Clamour raised, that this Tax will always give great Occasion to Frauds and Perjuries. I am persuaded, *Sir*, that no Excise whatever is attended with fewer Frauds in the Management than this Tax now under our Consideration. What is generally presumed to give Occasion to Frauds and Perjuries in all Methods of Taxation, is, when great Sums of Money are to be paid by the Subject, and returned to them again upon certain Events. Let any Man but examine the Articles of the Gross Charge of this Revenue, he will find, that there is no Money paid and returned. In all those Articles by which the Gross Amount is made to exceed the Gross Produce, the Accounts of the Office are carried on by way of Debtor and Creditor; there is hardly ever any Money paid by the Subject, that is to be returned either to him or to any other upon any Event whatsoever; we must therefore conclude, that in the Method by which this Tax was formerly, and is now again proposed to be raised, there can be nothing to tempt the Avarice, or to encourage the Frauds of Knaveish Dealers.

I shall now, *Sir*, examine some of those particular Objections that have been made to this Tax. The only one that I think has any Appearance of Reason in it, is, That with respect to the Navigation of *Great Britain*, it is pretended that it will be a great Burthen upon the victualling of our Ships: But unluckily it happens, that the Navigation of *Great Britain* never flourished more than it did under the Payment of this

Tax



Tax; in a Course of Five and Thirty Years that this Tax continued, it cannot be said, that ever our Shipping or our Navigation suffered in the least; on the contrary, there is not, I believe, any such Term in all our History, in which the Number of our Seamen, and the Number and Tonnage of our Ships encreased so much as it did in that Time. This is of itself a clear Proof that this Tax can be no Discouragement to our Navigation. But in Fact it is plain that the Additional Expence occasioned by this Duty is such a meer Trifle, that it never can be any Burthen; by Accounts from the Victualling-Office it appears, that the Charge for 10,000 Men in the Service of his Majesty's Navy, was as a Medium but 2,600 *l. per Annum* extraordinary Expence occasioned by the Duty upon Salt, which is no more than five Shillings *per Man*; so that if we reckon 30,000 Men employed in the Navigation carried on by the Merchants of *Great Britain*, the Duty on the whole Consumption of Salt in that Service will not exceed 7,800 *l. per Annum*, and surely no Man will imagine this to be a grievous and an insupportable Load upon the whole Navigation of *Great Britain*. But those that know any Thing of the Merchant Service, can testify, that Salt Provisions are not the only Victualling made Use of in that Service. Their Ships are often in some Port or another, and then the Sailors live mostly upon fresh Provisions; even when they are at Sea, it is well known, that the greatest Part of their Food consists in dried Fish, fresh Fish caught at Sea, Flower, Rice, and other such Provisions. Aboard of Merchant Ships they never consume near so much Salt Provisions, in Proportion to the Number of their Hands, as they do aboard any of his Majesty's Ships of War. And our Merchant Ships which trade to *Ireland* or to the Plantations, generally take in their Salt Provisions in one of those two Places, because of the Cheapness of Meat in those Countries; so that the Expence brought upon our Navigation by this Tax, especially in the Merchant Service, will at last be reduced to such a Trifle, that it will become altogether insensible. And as to the Exportation of Salt Provisions this Duty can never be any Discouragement to such a Trade, because the Exporters are allowed a Drawback in Lieu of the Duty they have paid.

If Salt be of so great a Benefit as has been represented in the Manuring of Lands, it is certain that soul Salt  
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may do as well for that Purpose as any other Salt whatever, and any Quantity of such Salt may be had *gratis* for carrying it off from the Pits, no Duty was ever paid or charged for such Salt, the Person who took it away to manure his Land, having an Officer with him, was always entitled to use it Duty free; if the Tax be revived, it will still be the same, and consequently the Duty can never be a Hindrance to the Improvement of our Lands, since the only Salt that is proper for that Purpose, is always to be had Duty free. And as to the Farmers and Graziers of *Great Britain*, this Duty can never be any great Charge upon them; whatever Salt they use in making up any Goods for the Market, is paid for at the Market by the Buyer, and so comes at last to fall where all Duties ought to fall, upon the Consumer. In their own Families there is but very little Salt consumed, and therefore the Duty cannot fall heavily upon them. If upon Computation it be found that the Duty costs but Five Shillings per Head at Sea, it cannot cost above half that Sum at Land; even if we were to suppose that there are as much Salt Provisions made Use of at Land as at Sea, because we know that there is not half the Quantity of Salt made Use of in curing Provisions for the Land, as in curing Provisions for the Sea Service: But we know that for more than half the Year, the Country People live entirely upon the Produce of the Dairy and the Garden, and even for the other Half of the Year, they live more upon Cabbage, Roots, and such Things, than upon Salt Meat, consequently we cannot reckon that this Duty will stand the Farmer in above one Shilling per Head for those Persons that live in his Family. It is indeed impossible that it can cost so much; we may modestly reckon that the whole People of *England* amount to at least Eight Millions of Persons; every one of whom contributes his Share to this Duty; if then, *Sir*, the Sum raised which is 230,350*l.* be distributed among Eight Millions of Persons, it will not amount to 7*d.* per Man; and if from thence we deduct the 19,000*l.* which the People of *England* are obliged to pay, whether this Tax be revived or not, we must conclude that no Person in *England* contributes more than 6*d.* thereto for his own Personal Consumption. He that keeps a great many Persons in his Family, must indeed pay for each of them, but whoever does so, must either have a good Estate or a good Trade, and consequently may very well

well afford to pay ; and this, *Sir*, is the Excellency of the Salt Tax, that every Man is thereby obliged to contribute to the Publick Charge, according to his Condition in Life. For I think no Man will say but that he who has a good Trade, or a great deal of Money, out at Interest, ought to contribute as much to the Defence of Property, as he that has a Land Estate that brings in no greater Yearly Revenue.

I hope, *Sir*, I have now made it appear to the Conviction of every Man that hears me, that the Salt Duty is no Burthen upon the People of *England*, or upon any Part of them ; that it can be no Hindrance to the Improvement of our Land Estates, nor any Prejudice to our Trade or Navigation : And it is, I may say, Self-evident, that it is a more just and a more equal and a better proportioned Tax, than any that is raised, or can be contrived to be raised upon the People of this Nation. The Land-Tax upon the other Hand, is the most unequal, the most grievous, and the most oppressive Tax that ever was raised in this Country ; it is a Tax which never ought to be raised but in Times of the most extreme Necessity. The best Judges, the truest Patriots in all Countries, have been of Opinion, that of all Taxes, that upon immoveable Goods, that upon Lands and Houses ought to be the last Resource. In such a Case there are but a few of the People that contribute to the Publick Expence, and even among that few there will always be a great Partiality as to the Value that is put upon Mens Estates. This we are very sensible of in *England* ; there are some Landed Gentlemen that pay a Land Tax equal to the full Value of their Estates, while others do not pay equal to a third Part of the real Value ; and generally those Gentlemen who suffer most by this Partiality, are those, whose Ancestors were a Sort of Knight Errants for the Revolution. They gloried in that happy Event, they thought themselves, in Honour and Justice, obliged to pay their equal Share for the support of so glorious a Cause, in Proportion to the real Value of the Estates they possessed ; and therefore they gave them in at the full Value. This was Justice, this was a laudable Zeal for the Happiness of the Nation, and for the Liberties and Privileges of the People : But their Posterity have suffered severely for it ; and as they always will be the greatest Sufferers by every Land-Tax, ought not the Merit and the honest Zeal of their Forefathers, to plead

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strongly for their Relief, at least with all those who are Friends to our present happy Establishment.

To pretend, Sir, that the taking off a Shilling in the Pound of the Land-Tax, and raising the Salt-Tax in the Room thereof, will be no Ease to most, or to any of the Landed Gentlemen in *England*, appears to me to be really a Sort of Paradox. I believe there are few Landed Gentlemen in *England*, whose Estates do not amount to 100*l.* *per Annum*; I am sure that the Landed Gentlemen of such Estates, or of any Land Estate from 100*l.* to 1000*l.* *per Annum*, are the greatest Objects of Compassion, and deserve most the Consideration of this House; because those who have less than 100*l.* a Year in Land, are generally either Farmers or Graissiers, or have some other Business as a Help for the Support of their Families. A Gentleman then of 100*l.* a Year in Land, if his Estate be rated at the full Value, saves 5*l.* a Year by the Abatement of 1*s.* in the Land Tax: Let us see if it be possible that this can again be drawn from him by the Salt Duty. I believe it will easily be granted me, that no Man of 100*l.* a Year and no more Land Estate, without any other Business keeps 16 in Family; but supposing he does, yet at 6*d.* *per Head* the Salt Duty cannot amount to more in the whole three Years than 24*s.* How then is it possible to pretend that this is not a Relief to such a Gentleman? To pay but 24*s.* in three Years, and at a Thousand (I may say) different Payments, is surely better, and much less grievous, than to be obliged to pay 5*l.* in one Year, and at most at two Payments. But suppose that such a Man's Estate is rated at the lowest Value that any Lands in *England* are presumed to be rated at; suppose such an Estate to be rated but at one third of the full Value, yet still by an Abatement of 1*s.* in the Pound Land Tax, he saves above 33*s.* and therefore such an Abatement must be a Relief even to such a Man, of at least 9*s.* besides the Advantage he has of having a much longer Time to pay a less Sum. Thus we see that what is now proposed must be a very great Relief to those who are oppressed with Mortgages and Rent Charges, and must be some Relief to every Landed Gentleman in the Kingdom, who has nothing but the Rents of his Estate to depend on for the supporting of his Family, and providing for his Children.

If there were any Danger, *Sir*, that the reviving of this Tax would occasion Murmurings among the People, I should be as much against it as any Man in this House; but the Tax is in its own Nature so equal, and paid by such a vast Multitude of People, and at so many different Payments, that it becomes quite insensible to every particular Man. We know by Experience, that during the long Time it was paid by the People, it never occasioned the least Uneasiness; and we find that the Remission of it gave no Ease; it occasioned no Joy among the People, nor were there any good Effects of it felt, either as to the lowering the Price of Goods or Provisions at Market, as to the raising the Value of Lands, or as to the reducing the Wages commonly given to Journeymen and Day Labourers. Those therefore who have a Regard to the Interest of his Majesty, or to the Ease and Quiet of the Kingdom, cannot make the least Scruple in preferring a Tax that is felt by no Man, to a Tax that is insupportable to a great many of those that are obliged to contribute thereto. Such a Measure can breed no new Enemies to our present happy Establishment, but must convert a great many of the old, and insure the Affections of the most considerable Part of his Majesty's Subjects.

In this, *Sir*, as well as in all the other Motions which I have ever had the Honour to make to this House, I have always acted according to my own Judgment for the Good of my Country, and therefore, *Sir*, I have no Reason to be afraid of the Curses and Imprecations of any Man. I do not think it altogether Parliamentary to use any such Expressions in this House; every Man ought in common Charity to be presumed to act according to what he thinks best, and most conducive to the Interest and Happiness of his Country. I have always done so, and while I continue to do so, I shall despise any Outcries that may be groundlessly raised against me, or against any Measure I propose.

To conclude, *Sir*, the only Thing I had in View, was, to propose what I thought the most easy and the most convenient Method of relieving the Landed Gentlemen in Part at least of that Tax which has so long lain heavy upon them, and upon them only; I am convinced that every Gentleman in this House will agree with me in this, that a Land-Tax, even of Two Shillings in the Pound is a most grievous Tax upon all the Landed Gentlemen in the Kingdom; more especially

cially upon those whose Estates are charged with heavy Mortgages or large Annuities; and I think I have clearly shewn, that the Duty upon Salt is no way inconsistent with our Constitution, is no way burthensome either upon our Navigation or our Trade, and I am sure it cannot with any Appearance of Reason be said to be grievous upon any particular Man, or upon any Set of Men within the Dominions of *Great Britain*. Let us then, for God's Sake, Gentlemen, have some Consideration for the Freeholders, who have suffered so much for many Years; let us have some Compassion for those Gentlemen whose Estates are deeply charged with Mortgages and Annuities, occasioned by the heavy Land-Taxes which their Forefathers have been obliged to pay. It is but reasonable that the Creditor should contribute to the publick Expence as well as his Debtor, and the most proper Method for effectuating so just a Design, is in my Opinion, the reviving the Duty upon Salt. If any Gentleman can propose a better, I shall most heartily join with him, and whoever thinks he cannot, will, I hope, agree to what I have proposed.

Mr. P——y spoke to the Effect as follows. *Sir*, From what his Majesty was graciously pleased to tell us from the Throne at the Beginning of this Session, I did indeed expect, I believe the whole People of *England* with me did expect, that we were to receive some Ease as to our Taxes; some real, some effectual Ease was expected, and was with Reason expected. How are these Expectations of the poor People to be answered? By the Proposition now made, a Part, by much the greatest Part of them, are to be subjected to a new Tax, and the remaining Part are to be indeed free of a Part of an old Tax, but in Place thereof, they are to pay a new Tax which will be equally grievous to most of them, at the same Time that it is grievous to every other Person in the Nation. This, *Sir*, is the Relief that the People of *England* are by the Proposition now made, to meet with from the Establishment of a profound Tranquillity both Abroad and at Home.

Every Gentleman in this House must remember, how this Tax upon Salt came to be taken off. Only two Years ago his Majesty was pleased to open the Session with a most gracious Speech, in which he expressed a compassionate Concern for the Hardships of the poor Artificers and Manufacturers. From whence we must conclude,



conclude, that his Majesty's Opinion then was, that that Sort of People laboured under the greatest Hardships, and were the first who ought to be relieved. The Circumstances of the Nation are not much altered since that Time; the Landed Gentlemen are not, I hope, grown very much poorer, or less able to bear Burthens; the poor Artificers and Manufacturers, are not, I am sure, grown richer, and therefore I must think, that his Majesty has not altered his Opinion, whatever some Gentlemen in this House may have done: It is certain some of them have, because at that Time there was not so much as one Man in this House that differed in Opinion from his Majesty. Every Man agreed that the poor Artificers and Manufacturers were the first who ought to meet with Relief from the happy Situation of our Affairs; the only Difference was as to the Manner of giving them Relief, and even that did not bear a Question; this Tax upon Salt was then thought so grievous upon the Trade, the Manufactures, and the Poor of this Nation, that it was given up even by the Right Honourable Gentleman who has now made the Motion for reviving it. I wish he had given us some Reason for his being now of a different Opinion from what he was of at that Time, for it must proceed from some Fact, or from some Circumstance that has either happened since that Time, or is soon to happen. If he foresees any extraordinary Event, I wish he had been so good as to communicate it; for my own Part, I can see none that can possibly induce me to change my Opinion; but on the contrary, I foresee many for confirming me in the same Sentiments I was then of, and which I think ought to confirm every Man who considers the Consequences of Things, and has a stronger Regard for the Liberties of his Country, and the Happiness of Posterity, than he has for his own immediate Interest.

I am very ready to believe, that every Man acts from the justest Motives, and from a sincere and hearty Regard for the Interest of his Country, and for the Happiness of his Fellow-Subjects; but as the true Motives of a Man's acting or speaking cannot be with any Certainty discovered by another, therefore we are to regard only what he does or says. A Man may act honestly, may argue justly from very bad Motives, and on the other Hand we know, that many wrong Actions and foolish Arguments have proceeded from Motives

tives that were in themselves generous and good. Let us then in Charity believe, that whoever differs from us is in a Mistake, and that whoever agrees with us acts from the same good Motives we do ourselves: Then we shall examine one another's Arguments with Candour; then is Truth most likely to prevail.

Let us not confound the Matter in Hand, and believe that the Question now before us, is, whether or no a Relief ought to be granted to the Landed Interest: That is no way at present the Question in debate. By the Resolutions of this House upon the Supply, there is 500,000 *l.* to be raised for the Current Service of the Year; the raising of this Sum we have already made necessary; our Resolution is not to be recalled. We are now in a Committee of Ways and Means, and the only Question before us, is, Whether we are to raise this Sum of 500,000 *l.* by laying a Shilling upon Land, or by reviving the Duty upon Salt. Neither of them can be a Relief to the Landed Gentlemen; upon the contrary both must be burthensome to them. But the one or the other we have made necessary, and therefore the only Question now before us, is, by which of these Ways we shall raise this 500,000 *l.*

This being then the true State of the Question, we are to consider which of these Methods will be most convenient for the Nation in general, and that we are to chuse without any Respect to who is, or who is not to contribute thereto; for we are never to do an Injury to our Country for the Sake of any private Man, or of any particular Sett of Men. The Thoughts of raising a general Excise, I find, have been disclaimed by every Gentleman who has spoke in this debate; I hope this Nation will never be in such slavish Circumstances, as that any Man dare openly avow such a design; but I wish that every Gentleman that has talked upon this Subject, had explained to us what he meant by a General Excise; for if any Gentleman thereby means, that the People are to pay Excises upon every Thing they use either for Food or Raiment, he will find that there is no such General Excise in the most Arbitrary, the most Slavish Country upon Earth. I believe there is no Country under the Sun, where the People pay an Excise for the Water they drink; and yet in some Countries it will be allowed, there are such Things as General Excises. I therefore take it, that the proper Mean-

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ing of a General Excise relates not to the Things upon which it is raised, but to the Persons from whom; and every Excise is a General Excise, if the whole Body of the People, the Poor, the Needy, the most Wretched, are obliged to contribute thereto. If this be the Meaning of a General Excise, the Excise now proposed to be raised upon the People of this Nation, is as general as any one that can be, or ever was invented under the most absolute Tyranny. And if this be granted, and tamely submitted to by the People, it may be an Encouragement to ambitious and wicked Ministers in future Times, to proceed a Step further, and lay another Excise upon some other Commodity used by the Generality of the People; that again will give Encouragement to a third Attempt, and so on, 'till at last the People of this Country be subjected, as well as some of our Neighbours, to a General Excise in the most extensive Sense; that is, an Excise upon every Person, and upon almost every Thing that can be converted to the Use of Man.

Such a General Excise was never establish'd at once in any Country, it has every where been introduced by Degrees, and in all the Countries where such an Excise has been established, we may generally observe, that the first Step made towards it was, the introducing this very Excise now proposed to be laid upon the People of this Nation. When we were involved in a heavy and expensive War, when we were fighting for every Thing that was near and dear to us, when our Land Tax was at four Shillings in the Pound, when every Thing we could think of was loaded with Duties and Customs, it was then a Sort of Necessity upon us to submit to such an Excise; but if we agree to it now, during a Time of profound Peace, and when no Necessity calls for our Submission, will it not then be a Precedent for every Excise that in future Times may or can be invented? And a few more Excises would, I fear, render our Liberties precarious, and entirely dependent upon the Good-Will and Pleasure of those who shall happen to be entrusted with the chief Power of collecting the Publick Revenue. The giving a Man half a Crown is indeed no Precedent for my giving him my whole Estate; but if I repeat my Generosity too often, and continue it too long, I may happen to put it in his Power to take the Residue from me, whether I will or no; and in such Case, I am afraid, it would be too late to alledge,



ledge, that the one is no Precedent for the other ; for if by my Simplicity I reduce myself to such Circumstances, I must submit to whatever he may be pleased to call a good Precedent. I hope no Project will ever be set on Foot, for converting any of our present Taxes or Customs into Excises ; but if ever such a Project be set on Foot, I shall then, I believe, be able to shew, that no *Dutch* Custom can in that Respect be a good Rule for us. The Nature of their Government, the Situation and Condition of their Country, and the Nature of the Commerce carry'd on by them, is so vastly different from ours, that what may be safe and easy in one Country, may be grievous to the People, and inconsistent with the Liberties of the other.

I am very far from thinking, that four or five hundred Officers at the Disposal of the Crown, can at any Time be of dangerous Consequence to the Freedom of Elections, or to the Liberties of the People ; but I cannot be persuaded, that I think meanly of my Country, when I declare that I am jealous of such the Number as seven or eight hundred, added to a vast Multitude of Tax-Gatherers we had before among us. When the Balance of Power comes near to its just Equilibrium, a small Weight thrown into either Scale oversets the Balance, and the Equilibrium can never be re-established without a great deal of Danger and Trouble. It is certain, that a Multitude of Officers at the Beck of an Administration, and spread over all the Counties, Cities, and Boroughs of the Kingdom, may have a vast Influence at all Elections ; and if ever they should happen to receive Orders for that Purpose, we may judge what Use they will make of the Influence they may have : I believe it will be generally agreed, that if ever we should have an Administration wicked enough to make Use of such an Influence, it will not be converted towards the Preservation of the Liberties of the People. The Character of those great Patriots, who first contrived this Duty, was no Argument for the Continuance of it, much less is it an Argument for the Reviving it. They did not out of Wantonness contrive such a Duty ; they were constrain'd by a fatal Necessity, to lay it upon the Nation at that Time. They made no bad Use of it, but we are not from thence to infer, that no bad Use will ever be made of it : From our own History we may be inform'd, that a very bad Use has been made of several Things, which for many Years after the first Institution

stitution had never been converted to any unlawful Purposes. Wherever there is any such Danger to be fear'd, we ought not willingly, we ought not presumptuously to expose ourselves thereunto. Such Evils may be easily avoided, but are not easily removed. One of the chief Reasons urged for the abolishing of this Duty, was, the Number of Officers employ'd in the collecting thereof, such a Number of Officers was then said to be inconsistent with the Liberties of a free People. This Argument was then made Use of, and was then admitted to be a good Argument; how it comes now to be such a trifling one, I cannot apprehend. But if it is not now admitted as a sufficient Argument against the reviving of this Duty for three Years, I much suspect, that at the End of this Term of three Years, neither this Argument, nor any other, will have Weight enough to prevent the continuing of it for a much longer Term.

I must say, *Sir*, that I am astonish'd to hear any Man who has ever read the Articles of Union, or is in the least acquainted with the Transactions of those Times, pretend that the People of *Scotland* are any way intitled to an Exemption from the Salt Duty, or from any Part of it, when it is to be laid on for the current Service of the Year. It is very well known, that it was laid down by the Commissioners of both Kingdoms, as the Basis and Foundation of the Union, that there shall be an Equality of Excises, Customs, and all other Taxes throughout the united Kingdoms. There was at that Time no Thought of establishing any Proportion to be raised in *Scotland*, with Respect to any Tax or Excise then raised, or thereafter to be raised in *England*, except only as to the Land-Tax. There was before the Union a Land-Tax raised in *Scotland* as well as in *England*; but in the two Kingdoms it was raised in a different Manner: In *Scotland* it was laid on, and levy'd by Way of so many Months Assessments: In *England* it was laid on and levy'd by Way of so many Shillings in the Pound; and therefore it became necessary to consider the Proportion between a Month's Assessment in *Scotland*, and a Shilling in the Pound in *England*; and the Proportion was establish'd at the Rate of two Months Assessment in *Scotland*, for every Shilling in the Pound, that was thereafter to be raised in *England*. Thus the Settling a Proportion as to this Tax was necessary; but as to the other Taxes, especially the Tax upon Salt, there was no such Necessity, and therefore it was never so much as thought of.

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But, Sir, many of the Taxes then levied in *England*, being mortgaged for the Payment of Debts contracted by *England*, before the Union ; therefore it was agreed, That the *Scots* should either be free from the Payment of such Taxes, or should have an Equivalent for that Part of the Debts of *England*, which they were to pay, by their being made subject to any Taxes so pre-engaged. And this Tax of 2 s. 4 d. on home-made Salt, was one of those Taxes that was mortgaged for the Payment of a Part of the Debts of *England*, therefore the *Scots* were to be free therefrom, or to have an Equivalent therefore. And the *Scots* Commissioners at that Time, most reasonably judged this Tax to be so grievous upon the People, that they chose rather that their Country should be free from it, than to take an Equivalent and be liable to it. Even by the Commissioners for both Kingdoms, this Tax was then thought to be such a grievous Tax, that it was presumed, the Parliament of *Great Britain* would certainly take it off, and substitute some more reasonable Tax in its Room ; in which Case, *Scotland* was to be subject to such Tax, so to be substituted ; but it was stipulated and agreed, that in such Case, they should have an Equivalent proportion'd to this new Tax, to which they were to become subject. From all which it evidently appears, that the only Reason for their having been declared free from the Payment of this 2 s. 4 d. upon Salt, was because it had been mortgaged for the Payment of a Debt contracted in *England* before the Union, and not comprehended in the Account of those Debts which *Scotland* was to pay a Part of, so that they received no Equivalent therefore : But tho' this Duty had never been abolished, yet in Case the Debt for which it was mortgaged had been paid by us, or otherwise provided for by a new Tax, and this Tax of 2 s. 4 d. upon Salt continu'd, and converted either to the current Service of the Year, or to the Payment of a Debt contracted since the Union ; *Scotland* could not surely pretend to an Exemption, either from the new Tax, or from the Payment of this 2 s. 4 d. upon Salt, after its being so converted ; the most that they could in such Case have pretended to, would have been to an Equivalent for the new Tax they had become subject to.

'Tis true, Sir, that Act of the 9th and 10th of King *William*, by which this Duty of 2 s. 4 d. upon Salt was established, has that terrible Word *for ever* in the

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Body of it. It is indeed a terrible Word, when it is annexed to such a grievous Tax. It is a Word that I am sorry my Country has so much Reason to be acquainted with: But that dreadful Word, even by the Act itself, is confined; it is confined to the Payment of that Debt, for which this Tax was then appointed; and since that Debt is now otherwise provided for, it is, with respect to this Duty, to be looked on as paid, and the conditional Perpetuity in that Act meant by the Word *for ever* is now at an End. It is impossible therefore to presume, that if the *Scots* Commissioners had ever meant, that their Country should have an absolute Perpetuity with respect to the Exemption from this Salt Duty, they would have referred to this Act, by which a Conditional Perpetuity was only established. But the Transaction was honest and fair, and the Words are plain to every Man, that has a Mind to comprehend them: The *Scots* Commissioners had a Mind that their Country should be free from the Payment of any Part of that Debt for which this Duty was appointed; and therefore it was agreed, that while this Duty remained appropriated to the Payment of that Debt, their Country should be *for ever* free from it: But it was never so much as intended by either Party, that their Country should be free therefrom, in Case it should, after the Payment of this old Debt of *England*, be converted to the Use and Benefit of the two United Kingdoms in general.

It being thus evident, *Sir*, that the People of *Scotland* have now no Title by the Articles of Union, to an Exemption from the Payment of this 2 s. and 4 d. upon Salt, the only Question then is, whether we ought out of Compassion to indulge them with such an Exemption, because the poor People of that Country are not able to pay it: I really think, *Sir*, we ought to have so much Compassion for the People of that Country; but then I hope it will be allowed me, that we ought to have an equal Compassion for the poor People of *England*. Journeymen and Day-Labourers, who have no Stock, no Property, are equally poor in all Countries; they have nothing but what they work for from Day to Day; and if it be said, that the poor People in *England* are able to pay this Duty, because they have high Wages, it is an unanswerable Argument against the Tax in general. It is now an universal Complaint in this Country, that the high Wages given to Workmen is the chief Cause of the

Decay of our Trade and Manufactures; our Business then is, to take all the Measures we can think of, to enable our Workmen to work for less Wages than they do at present; and therefore it must be contrary to good Policy, to lay on a Tax, which it is granted would be insupportable to the Poor, if it were not for the high Wages they have; for the laying on of such a Tax must make the Continuance of such high Wages absolutely necessary, and the Continuance of them will certainly bring the Nation to Poverty and Distress.

I must say, *Sir*, that the Reasoning of some Gentlemen upon the Subject in hand, appears to me a little inconsistent. This Salt Duty with respect to *England*, is a Tax that is altogether insensible; with respect to *Scotland*, it is a Tax that is altogether insupportable: In *England*, the Tax is raised upon such a great Multitude of People, and at so many different Payments, that no Man can feel what he pays: In *Scotland*, though it be raised upon the same Multitude of People, and at the same different Payments, yet if the whole were laid upon the People of that Country, every poor Man would not only feel what he paid, but would be utterly incapable to comply with the Payments required: In *England*, it can raise no Grumbings, no Murmurings, nor any Complaint among the People: In *Scotland*, it would raise such terrible Discontents, as might disturb the Peace and Quiet of the Kingdom and endanger the Constitution. How inconsistent is this Way of Arguing? What an insult is this upon the People, who quietly submit to the Loads that are laid upon them?

The Distinction that has been made between the Gross Charge and the Gross Produce of this Duty, seems to be something new. There is certainly as much Reason for this Distinction almost in every Branch of the Customs or Excise, as there is for it in the present Case; and yet I never heard it made Use of by any of the Officers of the Revenue. But supposing this Distinction to be reasonable, yet if we examine the Particulars of the Account that has been given us, we shall find that several Articles have been put to the Gross Charge, which really ought to be put to the Gross Produce, because they are actually raised upon the People, though they come not to the Use of the Publick, but to the Use of the Merchants and Dealers in Salt. I am surprized to hear it pretended, that the Allowance for Prompt Payment ought not to be reckoned as a Part of the Gross Produce,

Produce, or that the Sum allowed for that Discount is not raised upon the People. Does any Man suppose, that the wealthy Dealer pays his ready Money for the Benefit of his Customers, or that the Consumer pays the less for his Salt, because the Merchant from whom he purchases, paid the Duties in ready Money? Does not every Man know, that these prompt Payments are made by the rich Dealers, only for their own Account; and that notwithstanding of their being allowed a Discount of 10 per Cent, yet they sell as dear as if they had paid the full Duties? The Article then of 20,000*l.* for prompt Payment, is not to be deducted, but is to be looked on as a Part of the gross Produce.

The 11,000*l.* allowed for Waste on Salt carried Coastwise is likewise an Advantage only to the Dealer: It is no Advantage to the People, for every Farthing of that Sum is raised upon and paid by them. This Allowance arose from a Presumption that there was a Waste on Salt carried Coastwise; and therefore Three Pence *per* Bushel on all White Salt, and Three Halfpence *per* Bushel on all Rock Salt carried Coastwise, was allowed to the Dealer in Salt. But it is certain, that in such Case there can be no Waste, there is always rather an Increase, because of its being very dry when put on board, and afterwards made to swell and become more weighty by the Moisture of the Air, to which it is exposed in the Removing of it from Place to Place: Since there can be no Waste, we must presume, that the Whole is bought and consumed by the People; and we know that they always paid for it the same Price as if the full Duty had been paid by the Dealer. This Allowance did not even so much as induce the Dealer to sell Cheaper, for the Consumer always paid for the Carriage, as well as for the Duty and first Cost, and the longer the Carriage was, the Consumer always paid the higher Price. This 11,000*l.* is therefore to be considered, as a Part of the gross Produce.

The Allowance for Rock Salt melted, is of the same Nature. This arose from a Supposition, that in the Melting of Rock Salt, and Refining it into White Salt, there was a great Waste, and therefore ten Pound Weight in Sixty five was allowed Duty free. But I have been informed, and the Fact appears reasonable, that Rock Salt dissolved in fresh Water, will produce its own Weight in White Salt, and when dissolved in Sea Water it will produce one fourth Part more. If we  
only



only suppose that there is no Waste, we must presume that the Whole is bought and consumed by the People; and we know that they always paid as much for White Salt made out of Rock Salt, as they did for any other Sort of White Salt; therefore we must conclude, that though this Allowance of ten Pound Weight out of Sixty-five, be a Deduction from the Revenue, yet the Duty upon ever Grain of it is raised upon the People; and consequently this Article which is 36,000 *l. per Ann.* must likewise be added to the Gross Produce. These three Sums therefore of 20,000 *l.* 11,000 *l.* and 36,000 *l.* being added to the Gross Produce, as stated by the Gentleman who was pleased to enter particularly into this Account, will make it amount to 297,350 *l.* which is the lowest Computation we can make of the Sum that is to be yearly raised upon the People of *England* only by the Revival of this Tax.

But, *Sir*, if we consider the many Frauds that have always been committed as to Salt, pretended to have been Exported, and as to the Salt pretended to have been used in the curing of Fish, we must presume, that a great deal of more Salt is every Year used by the People, than what pays Duty to the Publick; and as the Consumer always pays the full Price, as if the Duty had been regularly paid upon the Whole, though these Frauds occasion a Deduction from the Revenue, yet the Duty upon the Whole is paid by the People; and therefore we must presume, that a much larger Sum than what I have mentioned must be yearly raised upon the People. This Presumption is brought almost to a Demonstration, by the Number of the People in this Nation, even as computed by those who have spoke in Favour of this Duty: According to their own Account, the Number of the Inhabitants in *England*, amounts to 8,000,000; if then we suppose that every one of them uses, one with another, but a Peck of Salt in a Year, we must reckon that a Shilling at least is raised upon every Person by the Means of this Duty, because the laying on of this Duty makes the Salt at least a Shilling a Peck dearer, than it would otherwise be; and therefore we must compute that by the reviving of this Duty, there will be at least 8,000,000 of Shillings, or 400,000 *l.* raised Yearly upon the People of *England* only; and this Sum I really take to be the lowest Computation that can justly be made.

Let us now, *Sir*, consider what we are about: We are to raise 500,000 *l.* for the current Service of the Year;

Year; this we certainly ought to raise in that Method, which will be least burthenfome to the Nation in general; and if we chuse so raise this Sum by reviving the Salt Duty for three Years, we make the People really pay 1,200,000 *l.* out of which there is but 500,000 *l.* brought clear into the Publick Revenue. If this be Publick OEconomy, If this be common Prudence, If this be a Relief or an Ease to the People of *England*, I leave the World to judge. I think that I can now avert, that when I argue against the Salt Duty, I plead the Cause of my Country, I plead the Cause of the whole Body of the People of *England*: I do not indeed plead for a Relief to them, I find there is no Relief to be given; but I plead against laying a new, a heavy, an intolerable Burthen upon them. We have by our former Resolutions made the raising of 500,000 *l.* necessary, but do not let us charge the People with the Payment of 1,200,000 *l.* in order to raise this Five.

From what I have said, *Sir*, it plainly appears how much more expensive it will be to the Nation, to raise 500,000 *l.* by reviving the Salt Duty, than to raise it by a Shilling in the Pound Land Tax; and yet it has been pretended, that there will be but a small Difference as to the Expence: This really surprizes me, for *Figurus* can neither be mistaken or misconstrued. In order to bring this Difference as low as possible, it has been pretended, that the raising of the Salt Duty will cost but 22,000 *l.* *per Annum*; but I always reckoned, that it cost full 25,000 *l.* and I must still reckon so, till I see it contradicted by the Commissioners Accounts; for the raising of, or paying the 19,000 *l.* *Annually* for Bounties, was never any additional Expence to the Publick. It has likewise been pretended, that the raising of a Shilling in the Pound Land-Tax, costs near 18,000 *l.* *per Annum*, by reason of the Office kept in Commission for that Purpose; but these Gentlemen forget, that this Office is kept up, and costs as much when there is but one Shilling in the Pound, as when there is 4 *s.* in the Pound Land-Tax, and therefore I still insist upon it, that the raising of 500,000 *l.* by 1 *s.* in the Pound Additional Land-Tax, will really cost the Nation but 13,500 *l.* *per Ann.* extraordinary Expence, and consequently the Difference as to this Article in *England* only, is at least 11,500 *l.* *per Annum*. But must not we add to this, the 2,600 *l.* extraordinary Charge in the Victualling Office, occasioned by this Duty? for  
this

this is certainly a Charge brought upon the Nation by reviving this Duty, which we should not be liable to, if we should raise what Money we want by a Land-Tax. Must not we likewise add the 20,000 *l.* *per Annum* allowed for Prompt Payment? for as this is no Benefit to the Consumer, it is a real Expence to the People, as much as the 25,000 *l.* is, which is paid for Management. These three Sums added together, makes the real Difference of the Yearly Expence between the Salt-Tax and a Shilling in the Pound Land-Tax, amount Yearly to 34,100 *l.* This, I say, Sir, is the Yearly Difference; but I hope no Man that considers it, will pretend, that this, or even three Times this Sum, is the whole Difference of the Expence the Nation is to be at, in raising 500,000 *l.* by a Salt-Duty in Three Years, in place of raising 500,000 *l.* by a Shilling in the Pound Land Tax in one Year; for the Difference will then be a great deal more than three Times this Sum. We must then reckon the whole Expence of the Salt Duty for Three Years, and from that deduct the Expence of raising 1 *s.* in the Pound Land-Tax for one Year only: The Salt-Tax will then cost us three Times 25,000 *l.* or 75,000 *l.* for Management; three Times 2,600 *l.* or 7,800 *l.* for extraordinary Expence in the Navy; and three Times 20,000 *l.* or 60,000 *l.* for Prompt Payment; which three Sums added together, amount to 142,800 *l.* And from this we are only to deduct 13,500 *l.* to wit, one Year's Expence of raising a Shilling in the Pound upon Land, the remaining Sum will then be 129,300 *l.* This is the real Difference of the Expence which the Nation is to pay for the raising of this 500,000 *l.* in Three Years by a Salt Duty, in place of raising it in one Year by a Land Tax. This is near Six and Twenty *per Cent.* and if we add the additional Expence in *Scotland*, and the Interest which the Publick must pay upon borrowing this 500,000 *l.* for the Current Service of the Year, it will, I am sure, amount to above 30 *per Cent.* which, I must say, is a pretty considerable Premium for Three Years Forbearance of Payment, even if the Nation were not to pay a Shilling of the Money till the full End of the Term. How consistent it may be with the Publick Good of this Nation, to pay so high a Premium for Forbearance, I shall not determine; but I am sure it will be inconsistent with the private Good of any honest Man



Man in the Kingdom to pay such a Premium. This, Sir, is the most favourable Light that the Affair before us can with any tolerable Reason be put in, even by those who appear most sanguine for the Revival of this Duty; but if we consider it in the Light I have before put it in, and suppose that 400,000 *l.* is to be raised yearly upon the People, by the Means of this Duty, it will then appear much more odious; for upon that Supposition, which, I am afraid, will prove too true, the Nation is to pay 700,000 *l.* for Three Years Forbearance of the Payment of Five, which is a Premium of very near 150 *per Cent.* for Forbearance.

To pretend, Sir, that this Duty cannot give Occasion to any great Frauds or Perjuries, because there is little or no Money advanced by the Subject, and repaid by the Government upon any Event, is to me a little odd. It is not the Repayment of Money by the Government that is the Cause of Frauds and Perjuries; it is the great Advantage that a private Dealer may make, and the little Risk he runs by such Frauds and Perjuries, that tempts him to the committing of such. He does not consider from whom, but how much Money he may make by such a Fraud; and therefore in all Manner of Taxes, where the Tax or Duty amounts to much more than the Prime Cost, there have always been, and always will be great Frauds; if the Dealer can by any Fraud avoid paying the Duty, he makes his Advantage by selling at a high Price. Considering then that this Duty to be laid upon Salt is no less than ten Times the Price it may be bought for at the Pits, what a fruitful Fund do we establish for Frauds and Perjuries? It may not perhaps be easy to smuggle Salt away from the Pits without paying the Duty; but how easy will it be for the Dealer, after he has given Bond to pay the Duty, and taken the Salt away from the Pits, to put it aboard of a Ship, and re-land it again at some Bye Creek or Corner, or by some other Way to get a Certificate of its having been exported; by this Fraud he gets up the Bond which he gave for the Duty, and though he gets no Money back from the Government, yet when he sells to the Consumer Salt for Four or Five Shillings a Bushel, which cost him but a Groat a Bushel, does he not make a delicious, a tempting Profit? And the more tempting it must be, because of the little Risk he runs; for he risks only the Loss of a Groat, for the Venture of making Four Shillings clear Profit.

If he can but cheat the Publick, he drives the Trade, I may say, of an Apothecary, and makes a Shilling of every Penny he lays out. Again, as to the Salt delivered Duty-free for the Fishery, there is still a greater Temptation, since it depends entirely upon the Honesty of the Curers themselves; none but themselves can tell what Quantities they have made Use of: If they can but sell their Salt privately to Dealers or Consumers, they may get free of the Duty by swearing that the Whole was employed in curing of Fish; and considering what little Regard is had to what is now by way of Proverb called a Custom-house Oath, I am afraid this Sort of Perjury will be by much too frequent: Nor is the Loss sustained by the Revenue, the only Disadvantage; these Baits and Temptations that are thrown in the People's Way for perjuring themselves, may really at last destroy all Sort of Morality and common Honesty among them, and may so much diminish that Regard which every Man ought to have for an Oath, that no Man's Life or Property can be secure, against the Plots and Perjuries of his Neighbours.

As to our Manufacturers and poor Labourers, this Tax certainly will be a Charge upon every one of them in general. It will be a Shilling at least to every single Man or Woman that is fit for Labour; and if we suppose a poor Man to have a Wife and three small Children, we can hardly suppose him to make Use of less than a Bushel of Salt a Year for his Family; to such a Man this Tax will amount to at least 4 s. 6 d. per Annum. Such a Thing as a Shilling, or a Crown may be looked upon as a Trifle by a Gentleman of a large Estate and easy Circumstances, but a poor Man feels sometimes severely the Want of a Shilling; many a poor Man has for Want of a Shilling been obliged to pawn the only whole Coat he had to his Back, and has never been able to redeem it again. Even a Farthing to a poor Man is a considerable Sum; what Shifts do the Frugal among them make, to save even a Farthing. Let us but imagine ourselves in the Condition of a poor Labourer, with a Wife and three Children, almost the whole of the Wife's Time taken up in looking after the Children, and the Husband working for a Shilling a Day, and we shall easily see how hard it is to make such a poor Man pay a Tax of Four or Five Shillings a Year for the Salt he must make Use of for the scanty Support of himself and Family.

This Tax must therefore be a Charge upon all our Manufactures in general, I shall suppose it small as any Gentleman pleases, yet it must be some; for if it be a Charge upon the Manufacturers, they must lay it upon the Manufactures they deal in; and if we consider how narrowly the Merchant, especially the Foreign Merchant, goes to work in the Bargains he makes, we must see what a Disadvantage this Tax may be to our Export of Manufactures. If any of our Neighbours can sell but one tenth Part of a Farthing in a Yard cheaper than we can do, they will at last turn us entirely out of the Business. This holds us to all our Manufactures in general, but as to some particular Manufactures, such as Glass, Leather, Earthen Ware, &c. it is still more grievous because Salt is one of the Materials made Use of in their very Composition, and therefore I am hopeful if this Duty be revived, there will be an Exception as to them.

I find it is granted by all, that the making Use of Salt is an Improvement to Land; but it is said, that this Tax cannot injure such Improvements, because every Man may have as much foul Salt Duty-free at the Pits, as he pleases, providing he has an Officer along with him. But does not every Man see, that this can only be of Advantage to those, whose Lands lie near the Salt Pits? even as to them, this Duty will be an additional Charge, for they cannot get an Officer to attend for nothing; we all know that when a Man is once got into an Office, he has many Ways of squeezing a Perquisite from those who are obliged to apply to him, and to him only. And as to all Lands that lie at a Distance from Coal-Pits, it must be allowed, that the reviving of this Tax will be a full Bar to any future Improvements of them by Salt, which is an Improvement that has been successfully made Use of, through all Parts of *England*, ever since the Duty was taken off.

It has I think in this Debate been admitted by all, that the Duty upon the Salt made Use of in Curing the Salt Provisions necessary for a Ship of 150 Tons for a Six Month's Voyage, will amount to Forty Shillings; and yet it has been asserted by some, that the reviving of this Duty will be no Burthen upon the Navigation of *Great Britain*. Those who reason in this Manner, do not surely consider the Frugality and Sparingness that must be observed in Trade. I am sure there is not a Merchant in *Europe*, that has Occasion to freight a



Ship, but will think 40 Shillings a very great Difference in the Freight between two Ships of 150 Tons each, if they be of equal Goodness in every other Respect; and he will always imploy that Ship which he can have 40 Shillings cheaper than the other. This must put a full Stop to the imploying of any *English* Ship, or to the Victualling of any Ship in *England*, where another Ship can be made Use of, or when a Ship can be victualled in any other Part of the World; and therefore it must be not only a Burthen upon our Navigation, but we must consider, that it would soon be the entire Destruction of our Navigation, and consequently of our Navy, if it were not for the Navigation Act, and some natural Advantages which we have over the rest of the World. I do not know how some Gentlemen may get, or how they may spend their Estates; but in an Affair which chiefly regards the Trade, and the Tradesmen of this Nation, I am surprized to hear Shillings and Crowns, nay even Pounds Sterling talked of in so light and trivial a Manner: The poor Trader or Tradesman may be properly said to earn his Living by the Sweat of his Brow; if he does not consider every Farthing that he is to lay out, he will soon come not to have a Farthing to pay for a Bit of Bread: To such a Man, even the Half Farthing which is now so contemptuously talked of, would be of mighty Consequence.

I come now, *Sir*, to consider this Tax with Respect to that honest, industrious and frugal Sett of People, the Farmers of *England*. I hope there are but few of them as yet obliged to live in the Manner as hath been represented. I hope no Farmer in *England* is as yet obliged to make his Family dine upon Bread and Cheese, or upon boiled Cabbage, without a Bit of pickled Pork, Salt Beef, or Bacon, to give them a Savour. I do not know indeed what they may be brought to, if we begin to multiply Excises upon them; but I must now consider them in their present Way of Living: In that Way I must look upon them and their Servants, as making Use of some Salt Provisions almost every Day in the Week, for the whole Year round: In such a View, I am sure, a Family of 16 working Persons will consume in Salt a great deal more than a Shilling's worth a Head, according as it must sell after this Duty is laid on. I believe they will consume above two Shillings worth a-piece; it has been computed by Men who understood thoroughly the OEconomy of their Family, that a Family of ten Persons would for all Uses generally cost the

the Master at least Six-pence a Week for Salt, according to the Price it sold at formerly, when this Duty was subsisting. At this Rate there is scarcely a Farmer in England, but must pay above 20 s. a Year towards this Tax, and if he pays a rack Rent, I do not know where he is to get this twenty Shillings, unless he runs in Arrear to his Landlord, in order to answer what he must pay the Tax-Gatherer. In such a Case, I believe, our Landed Gentlemen will not get much by the Relief that is now pretended to be given them. But besides this Additional Family Expence upon the Farmers, we know that they make Use of a great deal of Salt for several Uses in Husbandry : The Advantages made thereby, they must now give up, or otherwise they must pay dear for the preserving of them.

I hope, Sir, I am as sensibly touch'd as any Man with the Difficulties that many of the Landed Gentlemen in England labour under. I shall always be as ready as any Man to approve of any Measure for giving them a real Relief ; but I shall never pretend to amuse them, or to impose upon their good Sense, by calling that a Relief, which is only taking a Burthen off one of their Shoulders, and putting it upon the other ; and that this is the only Relief now proposed for them, I can, I think, demonstrate as clearly as ever any Thing was demonstrated by Numbers. I believe no Man will pretend that any Gentleman of a free Estate of 500 l. a Year in Land, or upwards, is in the present Case an Object of Compassion, or that the Relieving of such Men from the Payment of a Shilling in the Pound Land-Tax, can have any Weight in the present Debate ; and as for those Gentlemen who have large Estates in Land, but heavily charged with Mortgages, if they will, for the Sake of Grandeur, and the Name of a great Estate, continue to pay the Land-Tax, and the Interest upon the Mortgages, it is certainly their own Fault, and therefore they do not deserve the Consideration of this House. The landed Gentlemen then, whose Estates are under 500 l. a Year, are the only Persons whose Condition and Circumstances can in the present Case be of any Consequence ; and as to such, let us examine whether, what is now proposed, will prove to be of any Relief to them. It is well known, that there are many landed Gentlemen in England, whose Estates are valued so low, that they do not pay above a Groat of the Shilling in the Pound Land-Tax ; it is certain, that there are few or no landed Gentlemen who pay the whole Shilling ;

ling; there is not, I believe, one Estate in *England* that is rated at the full Value, with respect to the Payment of the Land-Tax; it may therefore be reasonable to suppose, that all the Land Estates in *England* are one with another rated for the Land-Tax at one half of the real Value. It has been admitted, that a Farmer of 100*l.* a Year, has generally sixteen Persons in Family; I think we may then reasonably suppose, that the landed Gentlemen in *England* of 400*l.* a Year, keep one with another, 20 Persons in Family; and upon these Suppositions let us see what Relief the Gentleman of 400*l.* a Year is to receive from the fine Scheme now before us. Such a Man's Estate is supposed to be valu'd at 200*l.* a Year as to the Land-Tax, consequently at 1*s.* in the Pound, he saves only 10*l.* in the whole, by taking off this 1*s.* Now let us consider what he must pay towards the Duty on Salt consumed in his Family; a common Farmer with ten Persons in his Family, is supposed to pay 6*d.* a Week for the Salt consumed in his Family, and therefore a common Farmer with 20 Persons in his Family, must be supposed to pay 1*s.* a Week, one with another, for the Salt consumed in his Family; and if we consider the great Waste that is made of that Commodity about a Gentleman's Family, and the many Visitors and their Servants, and the poor necessitous Neighbours that will always be hanging in or about a Gentleman's Family who has an Estate of 400*l.* a Year, we cannot allow less than eighteen Pennyworth of Salt consumed weekly about such a Gentleman's Family; we must therefore suppose, that every Gentleman of such an Estate, pays yearly for Salt consumed in his Family 3*l.* 18*s.* and since, by the laying on this Duty, we raise Salt to above ten Times the Price it formerly sold at, therefore we must conclude, that nine Tenths of 3*l.* 18*s.* that is, about 3*l.* 10*s.* is yearly drawn from every Gentleman of 400*l.* a Year, by Means of this Duty on Salt; and as he is to pay this Sum yearly for three Years, in Place of the 10*l.* Land-Tax, which he is by this Means to be made free of, is it not plain and evident, that he pays Ten Guineas in three Years, for the Sake of getting free of the Payment of 10*l.* in one Year? The utmost then, that can be pretended, is, that he saves by this fine Scheme about half a Year's Interest upon 10*l.* Is this the Relief so mightily bragg'd of? Will any Gentleman of common Sense chuse to have his Farmers, his Cottagers, his Labourers, and



and the Manufacturers that consume the Produce of his Lands, heavily taxed, in order to save 4 or 5s. Interest upon the 10l. that he was to have paid to the Land-Tax?

This is the Case, Sir, as to landed Gentlemen of 400l. a Year, but as to all the landed Gentlemen of smaller Fortunes, they will be Losers by this Measure that is proposed for their Relief. Their Families cannot be a great deal less numerous than the others; their Servants will be as wasteful, and they must entertain their Visitors as well as the other; therefore we cannot suppose that any Gentleman's Family in the Country will cost him less than 1s. a Week for Salt; at this Rate he must pay yearly towards the Duty now to be laid on, very near 2l. 7s. that amounts in three Years to 7l. so that a Gentleman of 200l. a Year, will be 2l. out of Pocket, and a Gentleman of 100l. a Year, will be 4l. 10s. out of Pocket, by reviving the Salt-Duty for three Years, in Place of 1s. in the Pound Land-Tax for one Year; and whether those Gentlemen that have great Families to maintain, many Children to provide for, and but one, two, or three hundred a Year Land-Rent, to answer all their Occasions, are not the greatest Objects of Compassion, nay, are not the only Objects of Compassion among the Landed Gentlemen in *England*, I leave to the World to judge. Every Gentleman that ever kept an Account of the Expences of his Family, must be a Judge, whether the Suppositions I have made are just: If they are just, I am sure the Figures cannot be controverted; and therefore, I hope, I shall hear no more of the great Relief that is to be given to the Landed Gentlemen of *England*.

Having thus shewed to what Sort of People this Salt Duty will be a Disadvantage, I think it would not be just in me, not to take some Notice of those to whom it will be an immediate Advantage. As to all the Gentlemen in *England* of very large Land Estates, it will be an immediate Advantage; it will, indeed, save a Trifle to them. With respect to them, I hope, I may be allow'd to make Use of the Word Trifle; a Sum of Money may be call'd a Trifle when applied to the Rich, but to the Poor no Sum of Money can be properly said to be a Trifle. But this immediate Advantage accruing to the rich landed Men, will be soon overballanced by the Ruin that it will bring upon their Country, and upon their own particular Estates; and I am glad to find,

find, that most of the rich Landed Gentlemen in *England* are upon the same Side of the Question with me. It shews a generous Contempt of Private Advantage, when opposed to the publick Good ; but those who will reap the greatest Advantage from the Measure now proposed, are those who are in good Posts or Places, and have handsome Salaries coming in. It is very true, that their Salaries are rated at the full Value to the Land-Tax : The taking off 1 s. in the Pound Land-Tax, is really putting 5 *per Cent.* into their Pockets, which cannot be drawn out again by the Salt-Duty, because they either keep no Families, or they keep their Families in Town, where most of their Servants are at Board-Wages. To such Gentlemen the Measure now proposed will certainly be advantageous, and to such only that Compassion which we have heard so much of, is properly to be apply'd. But one would not think that a Man who has 100 *l.* a Year from the Publick, should grudge to pay 5 *l.* a Year out of it to the Publick Expence ; or that the saving 5 *l.* a Year in such a Man's Pocket, should be such a mighty Concern to every Man who has the Good of his Country at Heart. I am persuaded that every Gentleman who has the good Fortune to be in any such Place or Employment, will shew as generous a Contempt of Self-Interest, and as honourable a Regard for the Publick Good, as is or can be shewn by the Gentlemen of great Land Estates who with them are the only Persons in the Nation that can reap any Benefit from the Measure now proposed.

Since then it appears plain, that what is now proposed can be no Manner of Relief, but will certainly be an additional Charge upon the Landed Gentlemen of small Estates ; and since they are the only Landed Gentlemen in *England*, who stand in Need of, and deserve the Compassion of this House, I think all the Arguments that can be drawn from Pity and Compassion, come full against our agreeing to the Revival of this Duty upon Salt ; and therefore I may now in my Turn plead with all those who hear me, to have Pity and Compassion upon the poor Landed Gentlemen in *England*. How hard will it be to make a poor Landed Gentleman of a Hundred a Year pay 7 *l.* instead of Fifty Shillings ? Why should the poor Landed Gentlemen be so much overcharged for the Sake of a small Ease to those who have plentiful Estates in Land, or considerable Salaries coming in from a Post or Place that gives them little

or

or no Trouble ? This is really, if I may be allow'd to make Use of the Words, *Giving to the Rich, and sending the Poor empty away.* But in the present Case, our Compassion pleads not only for the poor Landed Gentleman, but for all the Poor of the Nation. Let us but consider how many poor Families are maintain'd upon 8d. or 1s. a Day, which the Father earns by hard Labour and Toil : A Bushel of Salt is the least that can be consumed in a Year by a poor Man, his Wife and three or four small Children : How cruel is it to take four or 5s. a Year away from the Support of such a poor Family, more especially when one half of that Money at least is to be made a Compliment of to wealthy or fraudulent Dealers, or to idle and profligate Tax-Gatherers ? I hope every Man that hears me, will allow his Pity and Compassion to exert itself to its utmost Height. I hope every Man will consider upon which Side of the present Question are the Cries of the Poor and the Wretched, and the Blessings of those that are yet unborn. The Happiness or Misery of Posterity, the Flourishing or Decay of our Trade and Commerce, the Preservation or Loss of our Liberties, in my Opinion, depend in a great Measure upon the Question now before us ; and therefore I am persuaded that every Gentleman will consider it thoroughly, before he determines what he is to do.

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# TABLE

OF THE

## PRINCIPAL MATTERS

Contain'd in the

Seventeenth VOLUME.

C.

**C** *Haritable Corporation, Affairs thereof* Page 108 to  
124, 220 to 232, 255 to 281

*Colonies (American) Dispute between the Northern and  
Sugar Colonies* 140. *Papers relating to the same* ibid.  
to 152

D

**D** *EBT (National) a State thereof* 136  
*Debates in Parliament* 165 to 220, 281 to the End.

E.

**E** *Emperor's Commissorial Decree to the Diet at Ratisbon,  
concerning the Pragmatick Sanction* 8. *Reflections  
on the same* 11

L

**L** *ETTER from Signor Belloni relating to the seizing  
of Thomson at Rome* 120

Oran,

# The TABLE.

O

**O**RAN, *the Spanish Expedition thither*, Page 164,  
259

P

**P**ERSIA, *a remarkable Piece from thence* 1  
Prussia, *Marriage of the Princess Royal to the Hereditary Prince of Bareith* 52  
Parliament of Paris, *their resolute Behaviour* 53, 155, 232  
Paris (Abbot) *the Church-yard where he was buried* but  
<sup>up</sup> 64  
Protests of the Lords in the last Session of Parliament  
125 to 135

R

**R**eport of the Committee concerning the Sale of the Derwentwater Estate 88. *The Speaker's Reprimand to Sir John Eyles* 100. *Sir John's Answer* 101  
*Report concerning the Fees in the Court of Chancery* 101

S

**S**altzburg (*Archbishop of*) *persecutes the Protestants in his Dominions*, 30. *His Decree concerning them*, ibid. *A Letter from the Protestant Ministers at Ratisbon to the Emperor on their Behalf*, 39. *Their Complaints* 50  
*Speech (his Majesty's) to both Houses of Parliament at their Meeting*, 81. *Addesses in Answer to the same* 84 and 86  
Smith (Richard) *and his Wife, their strange Murder of themselves and their Child* 152

T

**T**reaties between Spain and Tuscany relating to Don Carlos 68, &c.

V

**V**ictor Amadeus (King) *secured upon a Pretence of his Endeavour to re-assume the Throne* 67

End of the TABLE.



THE  
**Chronological Diary**  
For the Year 1732.

CONTAINING

The most remarkable Transactions  
and Events, as well Civil as Military,  
and Domestick as Foreign, *viz.* Re-  
movals, Promotions, Births, Deaths,  
Marriages, &c. that happen'd during  
the Course of that Year.

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PROLOGUE

TO THE READER

OF THE HISTORY

OF THE

REIGN OF

CHARLES THE FIRST

BY

JOHN BURNET

OF THE

UNIVERSITY OF OXFORD

IN TWO VOLUMES

VOLUME THE FIRST

LONDON

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# THE Chronological Diary, &c.

JANUARY, 1732.

Jan. 2. DY'D the Lady Dowager Colerain, of the Kingdom of Ireland.

— Robert Dickson, Esq; appointed one of the Puisne Judges of the Court of Common-Pleas in Ireland, in the Room of Mr. Justice Barnard, deceas'd.

— The Hon. Thomas Carter, Esq; sworn Master of the Rolls in his Majesty's High Court of Chancery in Ireland.

— James Wall, Esq; and Charles-William Wall, his Son, or the Survivor of them, had the Grant of the Office of Second Chamberlain of his Majesty's Court of Exchequer in Ireland, in the Room of Rich. Colley, Esq;

— John Farcey, Esq; had a Commission of a Lieutenant-Colonel in Brigadier Pocock's Regiment of Foot, in the Room of Abraham Devischer, Esq; deceas'd, and likewise to be a Captain of a Company in the said Regiment: James Beschefer, Esq; a Commission to be Major of the said Regiment, in the Room of the said John Farcey, Esq; and likewise to be Captain of a Company in the said Regiment: John Grey, Esq; made Captain of a Company in the said Regiment, in the Room of James Beschefer, Esq; John Turner, Esq; made Captain Lieutenant in the said Regiment, in the Room of John Grey, Esq; and Theophilus Creamer, Gent. made Lieutenant in the said Regiment, in the Room of Mr. Turner.

Jan. 3. Dy'd Counsellor Jones.

— About this Time came Advice from the Southern Parts of France, that the Lady Malpas, only surviving Daughter of Sir Robert Walpole, and Wife to the Lord Viscount Malpas, Master of the Horse to his Royal Highness the Prince, dy'd there of a Consumption.

— Dy'd Edward Whitaker, Esq; Barrister at Law, Steward to his Royal Highness the Prince of Wales in his Manor of Kenington, and Steward to the Borough Court of Southwark.



Jan. 3. Dy'd the Lady Catharine Edwin, Aunt to his Grace the Duke of Manchester.

— Dy'd at his Seat in *Lincolnshire*, Geo. Heneage, Esq; a Gentleman possess'd of about 4000*l.* per Ann.

— Dy'd Nath. Hubbard, Esq; one of the eldest Captains belonging to his Majesty's Navy.

— Dy'd the Rev. Dr. Gore, Dean of Down in Ireland.

5. John Browne, Esq; one of the Representatives in Parliament for *Dorchester*, appointed standing Counsel for the *East-India* Company, in the Room of of Dr. *Exton Sayer*, deceas'd.

About this Time his Majesty conferr'd the Dignity of a Baronet of *Great Britain* upon *William Clayton* of *Marden* in the County of *Surrey*, Esq;

— Lieut. *John Ogilvie*, appointed Commander of the *Kingston* Man of War; Capt. *Vincent* of the *Dolphin*; Capt. *Fitch* of the *Sheerness*; Lieut. *Parry* of the *Otter* Sloop; Capt. *Rob. Trevor* of the *Elweter* Man of War; Capt. *George Anson* of the *Squirrel*; and Capt. *Rob. Long* of the *Scarborough*.

— *John Yorke*, Esq; Member of Parliament for the Borough of *Richmond* in the County of *York*, marry'd to the Hon. Miss *Anne D'Arcy*, Daughter to the late Right Hon. *James Lord D'Arcy* of *Sedbury* in the said County.

— *Davenport* of *Shropshire*, Esq; marry'd to Miss *Rodd* of *Lincoln's-Inn Fields*, Niece to Mr. Justice *Price*.

6. Dy'd *Trafford Smith*, Esq; Barrister at Law, eldest Son of Sir *Robert Smith* of *Hampshire*, Bart.

7. Dy'd the Hon. Mr. *George Ogilvie*, Advocate in *Scotland*, Brother to the Right Hon. the Earl of *Findlater*.

8. Dy'd *Jeremy Gough*, Esq; Son and Heir of the late *Jeremy Gough*, Esq; formerly a wholesale Grocer in *Bread-street*.

9. Dy'd Sir *Whitmore Aston*, Bart. of an ancient Family in *Shropshire*, at his Seat at *Aldenharn* near *Bridge-north* in that County.

— Col. *Cosby*, late Governor of the *Leeward Islands*, kiss'd the King's Hand, on his being appointed Captain General and Governor in Chief in and over *New York* and *New Jersey*, and the Provinces thereto belonging.

— Sir *Charles Hotham*, Bart. Representative in Parliament for the Borough of *Beverly*, kiss'd the King's Hand,

Hand, for the Command of the Regiment of Foot, late Col. *Cosby's*.

Jan. 10. Dy'd the Rev. Mr. *Robert Sandilands*, one of the Ministers of *Edinburgh* in *Scotland*.

12. Dy'd *William Ashurst*, Esq; Comptroller of the Stamp-Duties.

— Dy'd *James Fraser*, LL.D. a Scots Gentleman, eminent for his Knowledge of Books.

— *William Folkes*, Esq; of the *Inner-Temple*, marry'd to Miss *Ursula Taylor*.

— About this Time we had an Account, that *Claudius Rondeau*, Esq; his Majesty's Resident at the Court of *Russia*, was marry'd at *Moscow*, on the 23d of *November* last, to the Widow of *Thomas Ward*, Esq; his Majesty's Consul-General for that Empire.

— The Right Hon. the Lord Viscount *Bulkeley*, Member of Parliament for *Beaumaris* in *Anglesea*, marry'd to Miss *Owen*, Daughter and Heir of the late *Lewis Owen* of *Peniarth* in *Merionethshire*, Esq; a Fortune of Sixty Thousand Pounds.

— His Majesty was pleased to fill up four of the vacant Stalls at *Westminster*, of the Most Hon. Order of the *Bath*, by conferring the Honour of Knighthood of that Order on the Lord Marquess of *Caernarvon*, Lord Viscount *Bateman*, Sir *George Downing*, Bart. and *Charles Gunter Nicol*, Esq; The Ceremony was perform'd by his Majesty in his Closet; his Royal Highness the Prince of *Wales*, his Royal Highness the Duke, the Duke of *Montagu*, Grand Master, with several of the Great Officers of the Court attending. The Sovereign having put on the Ribband, with the Badge of the Order hanging to it, *Bath King* at Arms carrying on a Cushion the Ribband, with the Badge of the Order hanging to it, introduced the Marquess of *Caernarvon*, who kneeling before the Sovereign, was knighted with the Sword of State; then the Grand Master, having receiv'd the Ribband with the Badge of the Order from *Bath King* at Arms, presented the same to the Sovereign, who put the Ribband over the Marquess of *Caernarvon's* Shoulder, he still kneeling; and then he had the Honour of kissing his Majesty's Hand; which done, he rose up and withdrew. Then the Lord Viscount *Bateman*, next to him Sir *George Downing*, and after him, *Charles-Gunter Nicoll*, Esq; were severally introduced, and invested with the same Ceremonies.

Jan. 12.

Jan. 12. *William Moreton*, Esq; Senior City-Counsell, and Counsell in the Borough Court, sworn at Guildhall, Steward of the Borough of Southwark, in the Room of *Edward Whitaker*, Esq; deceas'd.

— *Col. Taylor* appointed one of his Majesty's Counsell in *Virginia*, in the Room of the Hon. *David Bray*, Esq; deceas'd.

— *Thomas Boram*, Esq; commissioned for the Command of a Company in the Regiment of Foot commanded by *Col. Egerton*.

14. Died suddenly at his Seat at *Mannington* in *Norfolk*, *Sir Charles Potts*, Bart. He leaving no Issue, the Title is extinct.

15. A Patent pass'd the Seals for appointing the Rev. *Mr. Walter Morgan*, Archdeacon of *St. David's*, in the Room of the Rev. *Mr. John Medley*, deceas'd.

16. Died the Right Hon. the Lady *Diana Fielding*, youngest Daughter of *Francis Earl of Bradford*, who was Treasurer of the Household to King *Charles II.* and Treasurer and Cofferer to King *William* and Queen *Anne*.

— Died *Mr. Tomlinson*, Jun. Professor of Geometry at *Gresham College*.

— Died *Mr. Peter Werton*, Receiver-General for the East and West Ridings of the County of *York*.

— Died *Mrs. Allworthy*, a very rich Maiden Lady.

19. Died *Thomas Manley*, Esq; a Gentleman of a very great Estate in *Cornwal*.

— Died the Rev. *Mr. Andrew Tooke*, Head Master of the *Charterhouse School*. He had been School-Master there between thirty and forty Years.

— Died *John Lovinge* of *Little Ealing*, Esq;

— This Day the King's Most Excellent Majesty was chosen Governor, *Sir Bibye Lake*, Bart. Sub-Governor, and *James Oglethorpe*, Esq; Deputy-Governor of the Royal African Company of England.

20. Lieut. Col. *Westall* elected Muster-Master for the City of *London*, in the Room of Col. *Bodington*, deceas'd.

21. On this Day the several Gentlemen following were chosen to be the Court of Assistants of the African Company, viz. *Solomon Ashley*, *John Baker*, *Thomas Bodicoate*, *John Bodicoate*, \* *Francis Boteler*, *Thomas Bradshaw*, \* *Joseph Bradshaw*, *Christian Cole*, *Robert Cruikshank*, *Joseph Danvers*, *Daniel Finch*, \* *John Gascoyne*, *Charles Hayes*, \* *John Laroche*, *Charles Lloyd*, *Henry Parsons*, *Benjamin Periam*, *Thomas Revell*, Esqrs; the Hon.



Hon. Sir Thomas Saunderson, and \* the Right Hon. Sir Robert Sutton, Knights of the Bath, John Thompson, Francis Townley, Thomas Watts, and \* Philip Wilkinson, Esqrs. N. B. Those marked with Stars are new ones.

Jan. 21. The Hon. Robert Byng, Esq; lately made one of the Commissioners of the Navy, re-elected to serve in Parliament for the Borough of *Plymouth*.

— George Purvis, Esq; elected Member of Parliament for *Aldborough* in *Suffolk*, in the Room of Samuel Lowe, Esq; deceas'd.

— Died the Lady of Sir Samuel Clarke, Knt. at his House in *Mincing-Lane*.

— Died Thomas Bonds, Esq; a Gentleman of a great Estate in *Warwickshire*.

22. Died Mr. Benjamin Cooling, formerly Fellow of *New-College, Oxon*, and superior Bedell of Divinity in that University.

— His Grace the Duke of *Cleveland* and *Southampton* married to the Lady *Harriet Finch*, one of the Daughters of the late Earl of *Nottingham*.

— The Hon. John Spencer, Esq; Brother to the Earl of *Sunderland*, chosen without Opposition, Member of Parliament for the Borough of *Woodstock* in *Oxfordshire*, in the Room of the Marquess of *Blandford*, deceas'd.

— Philip Lloyd of *Greenwich*, Esq; one of his Majesty's Equerries, and Captain of a Troop in Col. Carr's Regiment of Dragoons, elected Representative for *Christ-Church* in *Hampshire*, in the Room of Charles Withers, Esq; deceas'd.

23. The Hon. Morgan Vane, Esq; lately made Comptroller of the Stamp-Office, married to Miss Knight, a Lady of 6000 l. Fortune.

— Died Jabez Hughes, Esq; late Deputy-Treasurer of his Majesty's Stamp-Duties.

24. Died ——— Gordon, Esq; at *Kensington*, a Gentleman of a great Estate.

— The Right Hon. the Lord Viscount Tyrconnel, Representative in Parliament for the Borough of *Grantham* in *Lincolnshire*, marry'd to Miss Carteret, of the County of *Southampton*.

— Sir John Glynne, of *Harwarden* in *Flintshire*, Bart. marry'd to Miss Conway, a very rich Heiress, Daughter and Heir of the late Sir John Conway, a Fortune of 50,000 l.

Jan. 24.

Jan. 24. The Rev. Mr. *Comarque* marry'd to Mrs. *Henrietta Reneu* of Putney, youngest Daughter to the late Mr. *Peter Reneu*, an eminent Merchant in London.

— *Nicholas Fazakerley*, Esq; chosen Member of Parliament for *Preston* in *Lancashire*, in the Room of *Daniel Pulteney*, Esq; deceas'd.

— The Rev. Mr. *George Stephens* officiated for the first Time as Chaplain to the Hon. House of Commons.

25. Sir *Henry Gough*, Bart. chosen a Representative in Parliament for *Totness* in *Devonshire*, in the Room of Dr. *Exton Sayer*, deceas'd.

— Dy'd *Thomas Mann*, Esq; at his Seat at *Clapham* in *Surry*.

— Dy'd the Rev. Mr. *Willis*, Rector of *Crowton* in *Northamptonshire*, and Precentor and Prebendary in the Cathedral Church of *Llandaff*.

26. Dy'd the Count and Baron *Bothmar*, Prime Minister for the Affairs of the Electorate of *Hanover*, at his House in *St. James's Park*, after a tedious Indisposition, aged 84. He had resided in *England* above twenty Years, having been Ambassador at the Court of Great Britain in the Reign of *Queen Anne*, and continued here ever since.

— Dy'd Mrs. *Bolton*, of *Enfield*, a Widow Gentlewoman, Sister to the Hon. Sir *Charles Wager*.

— Dy'd Mr. Serjeant *Raby*, who had been several Years Deputy-Recorder of the City of *London*; and at his Death was Judge of *Ely*, and Recorder of *Huntingdon*.

— Dy'd the Hon. Mrs. *Cholmondeley*, Wife of *Seymour Cholmondeley*, Esq; and Sister of the present Earl of *Ashburnham*, at her Seat in *Cheshire*.

— Her Grace the Dutches of *Ancafter* and *Kesteven* brought to Bed of a Son.

27. Mr. *Anderson*, Son of Sir *Stephen Anderson*, Bart. marry'd to Miss *Barnes* of *Leadenhall-street*, a Fortune of 20,000*l*.

— Dr. *Newland* elected without Opposition, Geometry Professor at *Gresham College*, in the Room of Mr. *Tomlinson*, deceas'd.

— *Rodolphe White*, Esq; made Register to the Commissioners for regulating and licensing Hackney Coaches and Chairs, in the Room of Mr. *Charles Bolton*, deceas'd.

Jan. 27.

Jan. 27. Dy'd William Langhorn Games, Esq; Lord of the Manor of Hamstead in Middlesex.

29. George Witt of Hertfordshire, Esq; marry'd to Miss Elizabeth Blackwell, of Tyingham in Buckinghamshire, Esq;

30. Dy'd James Reynardson, Esq; one of his Majesty's Band of Gentlemen-Pensioners.

F E B R U A R Y.

1. James Prosser, Gent. appointed one of the Surveyors of his Majesty's Office of Ordnance at Woolwich, in the Room of William Sumpter, Gent.

— The following Promotions were made about this Time, viz. George Williamson, Gent. Nephew to the Hon. Col. Williamson, Lieutenant of the Tower, made Lieutenant in Capt. Pattison's Company at Minorca; John Goodyear, Gent. made Capt. Lieut. of Capt. Deal's Company at Gibraltar; and the above William Sumpter, Gent. made Lieut. of Capt. Hughes's Company at Woolwich.

— James Herring, Esq; made an Ensign in the Foot Guards.

— Charles Clark, Esq; chosen Recorder of Huntingdon, and likewise of Godmanchester, in the Room of Mr. Serj. Raby, deceas'd.

— Isaac Leheup, Esq; chosen Member of Parliament for Grampound in Cornwall, in the Room of Humphrey Morris, Esq; deceas'd.

— The Right Hon. the Earl of Crawford chosen at Edinburgh one of the Sixteen Peers of North-Britain, to sit and vote in the Parliament of Great Britain, in the Room of the Earl of Loudoun, deceas'd.

— Charles Earl of Murray installed a Knight Companion of the ancient and honourable Order of the Thistle.

— John Lumley, Esq; Brother to the Earl of Scarborough, Master of the Horse to his Majesty, appointed Colonel of a Company of Grenadiers in the Coldstream Regiment of Foot Guards, in the Room of the Earl of Albemarle, some Time since promoted to the Command of a Regiment at Gibraltar, in the Room of Col. Disney, deceas'd; and the Right Hon. the Earl of Crawford succeeded the Hon. Mr. Lumley in the Command of a Troop of Dragoons in Brigadier Ker's Regiment.



Feb. 1. This Day it was publish'd by Authority that his Majesty had granted to *Thomas Herring*, D.D. the Place and Dignity of Dean of the Cathedral Church of *Rocheſter*, void by the Promotion of *Dr. Nicholas Clagett* to the See of *St. David's*.

— Dy'd *Mr. Richardſon*, firſt Meſſenger to his Ma-  
jeſty's Treafury.

— Dy'd *Humphrey Burton*, Eſq; formerly of the *Inner Temple*, at his Houſe near *Coventry*. He ſhot him-  
ſelf thro' the Head.

2. Dy'd *Thomas Towers*, Eſq; a Gentleman of a plen-  
tiful Eſtate in *Cornwal*.

— Dy'd Miſs *Abigail Bendon*, an Heireſs of 12,000*l*.  
Fortune.

— Dy'd the Hon. *Mrs. Moleſworth*, Wife of the  
Hon. Capt. *Edward Moleſworth*.

— Dy'd the Rev. *Richard Newcomb*, M. A. and Fel-  
low of *Queen's College* in *Cambridge*.

— *Edward Popham*, Eſq; Son and Heir of *Francis Popham*, Eſq; of the County of *Wilts*, marry'd to Miſs  
*Hudſon*, a young Lady of conſiderable Fortune.

— *Benjamin Pollen*, Eſq; of *Lincoln's Inn*, marry'd to  
*Mrs. Markland*, Daughter of the late Rev. *Dr. Mark-*  
*land*.

— *Edward Webb* of *Gray's Inn*, Eſq; marry'd to  
*Mrs. Singleton*, a very rich Widow Lady.

— The Rev. *Mr. Hotchkis* choſen unaniouſly School-  
Maſter of the *Charter-houſe*, in the Room of the Rev.  
*Mr. Tooke*, deceas'd; and the Rev. *Mr. Preſcot*, Fellow  
of *Catharine-Hall* in *Cambridge*, appointed to ſucceed  
*Mr. Hotchkis* as Uſher.

3. *Mr. Wright*, a Domeſtick of the Right Hon. Sir  
*Robert Walpole*, appointed one of the Meſſengers of the  
Treafury, in the Room of *Mr. Richardſon* above-men-  
tioned.

4. Dy'd the Right Hon. the Lord *Conway*, Baron of  
*Ragley* in the County of *Warwick*, and Baron *Conway* of  
*Killuſtagh* in the County of *Antrim* in *Ireland*. He dy'd  
at *Lisburnne* in *Ireland*.

5. Dy'd his Excellency *Walter Chetwynd* of *Grendon-*  
*Hall* in *Warwickſhire*, Governor of *Barbadoes*, and Mem-  
ber of Parliament for the Borough of *Litchfield* in three  
ſucceſſive Parliaments.

— Dy'd *Mrs. Herne*, Reliſt of *Joſeph Herne*, Eſq;  
formerly Representative for *Clifton-Dartmouth-Hardneſs*  
in *Devonſhire*.

Feb. 6.

Feb. 6. Dy'd her Grace the Dutcheſs of Monmouth and Buccleugh, Counteſs of Dalkeith, Baroneſs Scott of Buccleugh, and Baroneſs of Eskdale. She was the Relict of James Duke of Monmouth, Natural Son of K. Charles II. beheaded on Tower-Hill, July 15, 1665. for taking Arms againſt King James II. ſo that ſhe ſurvived him forty-seven Years. Her Grace had Iſſue by the ſaid Duke, her firſt Husband, two Sons that ſurvived him, viz. James late Earl of Dalkeith, Father of the preſent Earl, and Henry late Earl of Deloraine. She marry'd in 1688, to her ſecond Husband, Charles Lord Cornwallis, and had Iſſue by him a Son and two Daughters.

— Dy'd the Right Rey. Dr. Ralph Lambert, Lord Biſhop of Meath in Ireland.

— Dy'd at his Seat at Rodborne-Cheney in the County of Wilts, Thomas Webb, Eſq; Serjeant at Law.

— Dy'd Thomas Byde, Eſq; Lord of the Manors of Ware and Hertford, *infra* and *extra*.

9. Dy'd the Hon. Robert Dixon, Eſq; one of the Judges of his Maſteſty's Court of Common Pleas in Ireland.

— Sir Robert Kemp of Ubbefton in Suffolk, Bart. choſen without Oppoſition Knight of the Shire for the ſaid County, in the Room of Sir William Barker, deceaſ'd.

— Thomas Broadhurſt, Eſq; made a Lieutenant of a Company in the Regiment of Foot commanded by Col. Clayton.

10. Dy'd the Right Hon. George Lord Carpenter, who was the eldeſt Lieutenant-General in his Maſteſty's Service, Colonel of a Regiment of Dragoons, and Governor of the Iſland of Minorca. He had been fifty-nine Years in the Army, and roſe gradually from a private Gentleman in the Third Troop of Guards, to be Lieutenant-Colonel of Horſe, and then purchaſed the Regiment he ever ſince commanded. He ſerved in the firſt Wars of Ireland and Flanders, and in the laſt Wars with Spain, with Honour and Reputation. In the Year 1715, he was appointed Envoy Extraordinary and Plenipoten-tiary to the Emperor. In the late Rebellion he prevented the Rebels ſeizing Newcaſtle, and the March they deſign'd into Yorkſhire; and overtaking them at Preſton, where they were inveſted by Sir Charles Wills, block'd them up more cloſely, and obliged them to ſur-render. He had receiv'd ſeveral Wounds, and one very remarkable one at the Defence of Brihuega in Spain, by a Muſket Ball, which having broke his Jaw Bone, and beat out all his Teeth on one Side, lodged it ſelf in the

Root of his Tongue, where it stay'd fifty-one Weeks before it could be got out; most Part of which Time he was in great Pain, not being able to swallow any Thing but Spoon Meat. He died in the 74th Year of his Age. By his Will having settled his Real Estate, which is about 200 l. a Year, which he lately purchased in *Herefordshire*, (and had been above three hundred Years in the Family, till it was sold by his Lordship's Father and Grandfather) upon his Son and his Children, and has left several Legacies and Annuities out of his Personal Estate, which was about 16,000 l. He married *Alice*, Daughter to *William* Lord Viscount *Charlemont*, by whom he has Issue one Son, who succeeds him in his Honour, and is now Lieutenant-Colonel of the Horse-Guards.

*Feb. 10.* Dy'd the Wife of *Mr. Simpson*, one of the Keepers of *Bushy-Park*, above 106 Years old.

11. Dy'd in Childbed, the Lady of *Francis Wilks*, Esq; an eminent Merchant and Agent for the Province of the *Massachusetts Bay* in *New-England*.

12. Dy'd *Mrs. Jane Miller*, Relict of *Franklyn Miller*, late of *Hide-Hall* in the County of *Hertford*, Esq;

— *John Stileman*, of *Charterhouse Square*, Esq; marry'd to *Mrs. Sadler*, a Widow Lady of great Fortune.

— *George Speke*, Esq; Representative in Parliament for the Borough of *Taunton-Dean* in *Somersetshire*, marry'd to *Mrs. Pitt*, a Lady in that County of a great Estate.

13. Dy'd the Right Hon. *William Bromley*, Esq; of *Baginton* in the County of *Warwick*, Representative for the University of *Oxford* in the present and four last Parliaments. He was Privy Counsellor to *Queen Anne*, Secretary of State, and Speaker of the House of Commons in 1716.

14. Dy'd *Thomas Burford*, Esq; one of the Sixty Clerks in Chancery, and Lord of the Manor of *Amwell-Magna* near *Ware* in *Hertfordshire*.

— Dy'd *Mrs. Cullum*, Daughter of the late *Thomas Cullum*, Esq; of *Ealing* in *Middlesex*, and Niece of *Sir Jasper Cullum*, Bart.

— Dy'd *Mrs. Martha Thorold*, a Maiden Lady, Sister to *Sir George Thorold*, and *Sir Samuel Thorold*, Barts.

— The Rev. Dr. *Henry Stebbing* sworn in Chaplain in Ordinary to his Majesty, in the Room of the Rev. Dr. *Herring*, promoted to the Deanery of *Roshester*.



Feb. 15. *Richard Chandler*, Esq; Solicitor to the Exchequer, Son of the Lord Bishop of *Durham*, marry'd to *Mrs. Cavendish*, Daughter to the Lord *James Cavendish*, Uncle to the present Duke of *Devon*.

17. Dy'd *Edward Hobart*, Esq; in the 95th Year of his Age.

18. This Day it was publish'd by Authority, that his Majesty had issued out his Letters under his Royal Sign Manual, to his Grace the Lord Lieutenant of *Ireland*, to cause Letters Patent to be pass'd under the Great Seal of that Kingdom, for translating *Welbore* Lord Bishop of *Kildare* to the Bishoprick of *Meath*, void by the Death of *Ralph*, late Lord Bishop thereof; *Dr. Charles Cobb*, Lord Bishop of *Dromore*, to the Bishoprick of *Kildare*; *Dr. Henry Maulee*, Lord Bishop of *Cloyne*, to the Bishoprick of *Dromore*; *Dr. Edward Synge*, Lord Bishop of *Clonfert* and *Kilmacduagh*, to the Bishoprick of *Cloyne*; also for promoting *Dr. Mordecai Cary* to the united Bishopricks of *Clonfert* and *Kilmacduagh*; for granting to the Rev. *Richard Daniel* the Deanery of *Downes*, void by the Death of the Rev. *William Gore*; and for granting to the Rev. *John Brandreth* the Deanery of the Metropolitan Church of *Ardmagh*, void by the Resignation of the said *Richard Daniel*.

20. *Mr. Joshua Van Neck*, an eminent Dutch Merchant in *London*, and Brother to *Mr. Gerard Van Neck*, one of the Directors of the *East-India Company*, marry'd to *Mary-Anne Daubuz*, youngest Daughter of *Mr. Stephen Daubuz*, a Lady of 10,000*l.* Fortune.

22. Dy'd *Dr. Francis Atterbury*, late Bishop of *Rochester*, who was banished by Act of Parliament, for being concerned in a Treasonable Conspiracy against his late Majesty. He died at *Paris*, aged near 70.

— The Rev. *Christopher Hufsey* inducted to the Rectory of the United Parishes of *Alhallowes*.

— The Rev. *Dr. Henry Briggs*, Rector of *Holt* in *Norfolk*, was made Chaplain in Ordinary to his Majesty.

— This Day was publish'd by Authority, that his Majesty had been pleas'd to appoint *George Woodward*, Esq; his Envoy Extraordinary to the King of *Poland*.

— *James Jugins*, Esq; promoted to the Command of a Company in the Regiment of Foot commanded by *Col. Clayton*.

— *John Pollexfen*, Esq; made Surveyor-General of the Highways in *England*.

Feb. 27.

Root of his Tongue, where it stay'd fifty-one Weeks before it could be got out; most Part of which Time he was in great Pain, not being able to swallow any Thing but Spoon Meat. He died in the 74th Year of his Age. By his Will having settled his Real Estate, which is about 200 l. a Year, which he lately purchased in *Herefordshire*, (and had been above three hundred Years in the Family, till it was sold by his Lordship's Father and Grandfather) upon his Son and his Children, and has left several Legacies and Annuities out of his Personal Estate, which was about 16,000 l. He married *Alice*, Daughter to *William* Lord Viscount *Charlemont*, by whom he has Issue one Son, who succeeds him in his Honour, and is now Lieutenant-Colonel of the Horse-Guards.

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— *John Stileman*, of *Charterhouse Square*, Esq; marry'd to Mrs. *Sadler*, a Widow Lady of great Fortune.

— *George Speke*, Esq; Representative in Parliament for the Borough of *Taunton-Dean* in *Somersetshire*, marry'd to Mrs. *Pitt*, a Lady in that County of a great Estate.

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— Dy'd Mrs. *Martha Thorold*, a Maiden Lady, Sister to Sir *George Thorold*, and Sir *Samuel Thorold*, Barts.

— The Rev. Dr. *Henry Stebbing* sworn in Chaplain in Ordinary to his Majesty, in the Room of the Rev. Dr. *Herring*, promoted to the Deanery of *Roshester*.

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17. Dy'd *Edward Hobart*, Esq; in the 95th Year of his Age.

18. This Day it was publish'd by Authority, that his Majesty had issued out his Letters under his Royal Sign Manual, to his Grace the Lord Lieutenant of Ireland, to cause Letters Patent to be pass'd under the Great Seal of that Kingdom, for translating *Welbore* Lord Bishop of *Kildare* to the Bishoprick of *Meath*, void by the Death of *Ralph*, late Lord Bishop thereof; *Dr. Charles Cobb*, Lord Bishop of *Dromore*, to the Bishoprick of *Kildare*; *Dr. Henry Maulee*, Lord Bishop of *Cloyne*, to the Bishoprick of *Dromore*; *Dr. Edward Synge*, Lord Bishop of *Clonfert* and *Kilmacduagh*, to the Bishoprick of *Cloyne*; also for promoting *Dr. Mordecai Cary* to the united Bishopricks of *Clonfert* and *Kilmacduagh*; for granting to the Rev. *Richard Daniel* the Deanery of *Downes*, void by the Death of the Rev. *William Gore*; and for granting to the Rev. *John Brandreth* the Deanery of the Metropolitan Church of *Ardmagh*, void by the Resignation of the said *Richard Daniel*.

20. Mr. *Joshua Van Neck*, an eminent Dutch Merchant in London, and Brother to Mr. *Gerard Van Neck*, one of the Directors of the East-India Company, marry'd to *Mary-Anne Daubuz*, youngest Daughter of Mr. *Stephen Daubuz*, a Lady of 10,000*l.* Fortune.

22. Dy'd *Dr. Francis Atterbury*, late Bishop of *Rochester*, who was banished by Act of Parliament, for being concerned in a Treasonable Conspiracy against his late Majesty. He died at *Paris*, aged near 70.

— The Rev. *Christopher Hufsey* inducted to the Rectory of the United Parishes of *Alhallowes*.

— The Rev. *Dr. Henry Briggs*, Rector of *Holt* in *Norfolk*, was made Chaplain in Ordinary to his Majesty.

— This Day was publish'd by Authority, that his Majesty had been pleas'd to appoint *George Woodward*, Esq; his Envoy Extraordinary to the King of *Poland*.

— *James Jugins*, Esq; promoted to the Command of a Company in the Regiment of Foot commanded by Col. *Clayton*.

— *John Pollexfen*, Esq; made Surveyor-General of the Highways in England.

Feb. 27.



Feb. 23. Dy'd Samuel Howe, Esq; Barrister at Law, a Gentleman of above 600*l.* per Ann.

25. Dy'd the Lady Jane Jackson.

— Dy'd — Pollexfen, Esq; of Nutwell in Devonshire, Son to the late Lord Chief Justice Pollexfen.

27. Dy'd Andrew Card, Esq; Senior Benchet of the Hon. Society of Gray's Inn.

— Dy'd the Rev. Mr. Morgan, lately Archdeacon of St. David's, and Minister of Hadley in Middlesex.

28. Dy'd Francis Leigh, Esq; Son of Sir John Leigh, of Addington in Surry, Knt.

— The Hon. Morgan Vane, Esq; Comptroller of the Stamp Duties, marry'd to Miss Knight, Daughter of Robert Knight, Esq; formerly Cashier of the South-Sea Company.

29. This Day it was publish'd by Authority, that his Majesty had granted to John Baron, M. A. the Archdeaconry of Norfolk, void by the Promotion of Dr. Thomas Tanner to the Bishoprick of St. Asaph; As also that his Majesty had conferred the Dignity of a Baronet of Great Britain, upon Robert Brown, Esq; of the City and Liberty of Westminster.

— The Right Hon. the Lord Viscount Cornbury, Son and Heir apparent to the Right Hon. the Earl of Clarendon and Rochester, unanimously elected to be one of the Representatives in Parliament for the University of Oxford, in the Room of the Hon. William Bromley, Esq; deceas'd.

— Mr. Beteridge, a Gentleman belonging to the Earl of Hallifax, appointed to succeed Mr. Edward Milward in his Place of Messenger to the Auditor's Office.

— Dy'd Mrs. Rider, at her Seat in Essex, a Lady of 2,000 *l.* per Ann.

### M A R C H.

1. This being the Anniversary of her Majesty's Birthday, who enter'd into the 50th Year of her Age, there was a great Appearance of the Nobility and Gentry at St. James's, to compliment their Majesties on that Occasion.

— Dy'd Miss South, the Daughter of Mr. Humphrey South, an eminent West-India Merchant.

— Hutchinson Turck, Esq; sworn about this Time into the Office of Exigenter of the Common Pleas, before the

the Right Hon. the Lord Chief Justice Eyre, in the Room of *Francis Keyte Dighton*, Esq;

March 3. Her Grace the Dutches of *Bridgwater* safely deliver'd of a Daughter, at the Duke's House in *Cleveland-Court*, *St. James's*.

— Dy'd Mrs. *Beachcroft*, Wife of *Samuel Beachcroft*, Esq; one of the Nephews and Heirs of the late Sir *Robert Beachcroft*, of an Apoplectick Fit.

5. Dy'd of an Asthmatic Indisposition, the Lady *Pyde*.

— Dy'd in *Oxfordshire*, Mrs. *Britannia Howard*, Daughter of *Matthew Howard*, Esq; of *Hackney*.

6. Dy'd Mrs. *Herriman*, in *St. Martin's le Grand*, in the 115th Year of her Age.

— Dy'd at *Cambridge*, the Rev. Dr. *Davies*, Master of *Queen's College*, Rector of *Fen-Ditton*, and one of the Prebendaries of *Ely*.

7. Dy'd suddenly Mr. *Lewis*, an eminent Attorney, at his Lodgings in *Bell-yard*, near *Lincoln's Inn*.

— Dy'd of the Small-Pox *John Powell*, Esq; of *Pennybank* in *Carmarthenshire*, *South-Wales*.

— *Pierce Acourt*, Esq; kiss'd his Majesty's Hand for the Post of an Ensign in the Foot-Guards.

— Mr. *Francis Webster* of *Gray's Inn* marry'd to Miss *Brent*, Daughter and Heiress to Mr. *Humphrey Brent*, an eminent Scrivener.

— Dy'd at *Bath*, Mr. *Barnes*, an eminent Merchant in *London*.

9. *Edward Short*, Esq; of the Office of Ordnance, marry'd to Miss *Kemp*, Daughter of the late Major *Kemp* of the Tower.

10. Capt. *Pool*, a reduced Officer in the King's own Royal Regiment of Dragoons, commanded by Major General *Gore*, kiss'd his Majesty's Hand for the Post of Major to General *Sabine's* Regiment of Dragoons.

— Dy'd at his House in *Norfolk-street*, *James Budgen*, Esq; Counsellor of the Temple.

— Dy'd *Thomas Reason*, Esq; who was one of the Gentlemen-Pensioners in the Reign of King *William*.

— Dr. Mr. *Pember*, Sen. an eminent Brewer in *Old-street*.

12. Dy'd Mrs. *Chetwynd*, Reliēt of the Hon. *Walter Chetwynd*, Esq; late Governor of *Barbadoes*.

— The Hon. Mrs. *Martha Lovelace*, only Sister to the Right Hon. *Neville Lord Lovelace*, kiss'd the Queen's Hand for the Place of Maid of Honour to her Majesty,  
in

in the Room of the Hon. Mrs. *Mary Vane*, who resign'd on the 9th.

March 14. About this Time his Majesty's was pleas'd to appoint Col. *Thomas Paget*, Groom of the Bed Chamber to his Majesty, to be Lieutenant-Colonel to the Regiment of Horse in *Ireland*, commanded by Col. *Anthony Legoniere*, in the Room of Sir *Charles Hotham*, some Time since promoted to the Command of a Regiment of Foot.

— Major *Sowle* to be Lieutenant-Colonel to Col. *Montague's* Regiment of Foot in *North-Britain*, in the Room of Lieutenant-Colonel *Laurence*, deceas'd.

— Capt. *Pool* to be Major to General *Sabine's* Regiment of Foot in *North-Britain*, in the Room of Major *Sowle*.

— Major *Patterson*, of Lieutenant-General *Tatton's* Regiment of Foot in *North-Britain*, Lieutenant-Colonel to Col. *Cornwallis's* Regiment of Foot in *Jamaica*.

— Capt. *Thomas White*, the eldest Captain, to be Major, in the Room of Lieutenant-Colonel *Patterson*.

— Capt. Lieut. *John Robertson* to be Captain in the Room of Major *White*.

— Lieut. *Thomas Seamen* to be Captain-Lieutenant, in the Room of Capt. *Robertson*. And

— Ensign *John Cole* to be Lieutenant in the Room of Capt. Lieut. *Seaman*.

15. Dy'd the Hon. Mrs. *Bellaflyse*, Sister to the Right Hon. the Lord Viscount *Faulconberg*, at his Lordship's House in *Poland-street*.

— Dy'd Mr. *Atwood*, a wealthy Brafter in the City, and Deputy of the Ward of *Aldgate*.

16. Dy'd at his House in the County of *Salop*, Sir *Littleton Powis*, Kt. formerly one of the Justices of the King's Bench; but on Account of his great Age, receiv'd his *Quietus*.

— Dy'd Major-General *Crofts*, an old Officer in the Army. He was Brother to the late Dutchess of *Bolton*, (Second Wife of the late Duke) and Natural Son of the late Duke of *Monmouth*.

— Dy'd at his Seat of *Monckton-Farley* in the County of *Wilts*, *Daniel Web*, Esq; formerly High Sheriff of the County.

— Dy'd Mrs. *Snow*, Wife to *Gostelow Snow*, Esq; one of the Prothonotaries of the Court of *Chancery*.

— Dy'd at *Great Berkhamstead* in *Hertfordshire*, Sir *Joseph-Edmunds More*, Bart.

March 16.



March 16. Dy'd Douglas, Esq; Nephew to his Grace the Duke of Queensborough.

— Dy'd Mrs. Sarah Abney, Daughter of Sir Thomas Abney, Lord Mayor of London 30 Years ago.

— Dy'd John Penn, Esq; at his Seat at Penn in Buckinghamshire.

— The Rev. Mr. Alexander Chalmers, was presented to the Rectory of St. Katharine Coleman in the City of London, void by the Promotion of Dr. Mordecai Cary to the Bishoprick of Clonfert in Ireland.

18. Dy'd Eastland Hawksmore, Esq; at his Seat at Gainsborough in Lincolnshire.

— Colonel James Tyrrel, Member for Boroughbrigg in Yorkshire, kiss'd the King's Hand on his being made a Brigadier-General on the Irish Establishment, in the Room of Brigadier-General Crofts, deceas'd.

20. William Simpson, Esq; appointed Lieutenant in the Hon. Major-General Tatton's Regiment of Foot.

21. Dr. Clark, chosen Physician to Guy's Hospital, in the Room of Dr. Furin, who resign'd.

— Mr. Ellison made an Ensign in Lieut. Gen. Tatton's Regiment of Foot, in the Room of Ensign Cole, made a Lieutenant in that Regiment.

22. Dy'd Mr. Thomas Grainger, chief Clerk to the Committee of Accounts of the East-India Company.

— Dy'd Mrs. Elizabeth Wellwood, Relict of Dr. James Wellwood, of the College of Physicians.

— Dy'd Mrs. Venetia Cook, Daughter of the Right Hon. Cook, Esq; Secretary of State in the Reign of King Charles II.

24. Dy'd the Rev. Mr. James Gardiner, M.A. Sub-dean of the Cathedral at Lincoln.

— Dy'd the Lady Stoughton, Wife to Counsellor Turrel.

25. Dy'd the Lady Humfreys, second Wife of Sir William Humfreys, Bart. Alderman of Cheap Ward.

26. Dy'd suddenly at his Seat in Devonshire, the Right Hon. the Lord Clifford of Chudleigh.

27. Dy'd Richard Foley, Esq; Member of Parliament for Droitwich in Worcestershire, Brother to the Right Hon. the Lord Foley, and one of the Prothonotaries of the Court of Common-Pleas.

— Dy'd in the 91st Year of his Age, Thomas Uvedale, a noted Turkey Merchant.

— Dy'd Mrs. Hannah Cromwell, a near Relation of the famous Oliver Cromwell.

March 28. *Zachary Chambers*, Esq; marry'd to the Widow *Lomax*, a Lady of 12,000*l.* Fortune.

31. Counsellor *Edwards* sworn in one of the Masters in Chancery, in the Room of Mr. *Tottle*, who resign'd.

— The Rev. Dr. *Savage*, chosen Lecturer of St. George Hanover-Square.

— Dy'd the Rev. Dr. *Blomer*, Minister of *Alhallows Lombard-street*.

### A P R I L.

1. Dy'd at *West Ham* in *Middlesex*, Mr. *John Middleton*, a great Dealer in Whalebone.

2. Dy'd the Relict of the late Dr. *Fowler*, Bishop of *Gloucester*.

3. Dy'd in *Tavistock-street*, *Ralph Egerton* of *Harliston* in *Staffordshire*, Esq;

— *Robert Warner*, Esq; made one of the Prothonotaries of the Court of Common Pleas, in the Room of *Richard Foley*, Esq; deceas'd.

— *Sowle*, Esq; made a Captain in General *Tatton's* Regiment of Foot.

6. Dy'd Mrs. *Dunchabala Oxendon*, Daughter of Sir *George Oxendon*, Bart.

7. Dy'd at *Bath* the Hon. Lady *Cornwallis*, Relict of Col. *Cornwallis*, lately deceas'd.

— *James Bigg*, Esq; made a Captain in the Foot Guards.

9. Dy'd at his House in *St. James's Street*, *Joseph Hancock*, Esq; belonging to the Great Wardrobe.

— Dy'd at his House in *St. Katharine's*, Mr. *Fenwick*, a noted Corn Factor.

11. Dy'd at her House in *Blackmoor-street*, Mrs. *Chambers*, a rich Widow.

— Dy'd at his House in *Cullum street*, Mr. *Wingfield*, an eminent Merchant.

— Dy'd at *Midlam* near *Epsom* in *Surry*, *Bartholomew Shower* of the Inner Temple, Esq;

— Dy'd in *Scotland*, at his Seat of *Charlton-Aboyne*, the Right Hon. *John Earl of Aboyne*.

12. Dy'd at *Cheshunt* in *Hertfordshire*, the Lady *Floyer*, Relict of Sir *Peter Floyer*.

13. *Richard Andrews* of *Merton* in the County of *Surry*, marry'd to Miss *Barbara Baker* of *Bloomsbury Square*.

April 13.

April 13. *Tho. Poulton*, Esq; marry'd to *Mrs. Adams*, a rich Widow.

14. *John Shaftoe* of *Gillingham* in the County of *Kent*, Esq; marry'd to *Miss Anett* of the City of *Rocheſter*.

— The Lady of the Right Hon. the Lord *Guilford*, ſafely brought to Bed of a Son and Heir, at his Lordſhip's Houſe in *Albemarle-ſtreet*, *St. James's*.

— Dy'd at *Hutton-Hall* near *Brentwood*, *Effex*, Sir *William Willys* of *Fen-Ditton* in *Cambridgeſhire*, Bart. Member of Parliament for the Borough of *Great Bedwin* in *Wilts*.

— Dy'd *Newdigate*, Esq; Son of Sir *Richard Newdigate*.

— Dy'd ſuddenly *Mr. Waters*, Under-Sheriff for *Berkſhire*.

— Dy'd at *Plaiftoſw* in *Effex*, *Mr. Edward Crowder*, an eminent Soap Boiler in *Bishopsgate-ſtreet*.

— Dy'd at *Theobalds* in *Hertfordſhire*, *John Ruſſel*, Esq;

15. Dy'd the Lady *Shovel*, Relict of the late Sir *Cloudeſly Shovel*, at her Houſe in *Thrift-ſtreet*, *Soho*.

— Major *Lumcanier* appointed Yeoman of the Robes under Col. *Schutz*.

— *Murray*, Esq; made a Captain of a Troop in *Ireland*.

— Dy'd at his Houſe in *Gardiner-ſtreet*, *Westmiſter*, *Townſhend*, Esq;

16. Dy'd at *Stockwell* in *Surry*, *Mr. Charles Brotherell*, an eminent *Virginia* Merchant.

17. Dy'd at his Houſe in *Norfolk-ſtreet* in the *Strand*, *Dr. Goldſmith*, a young Phyſician.

18. Dy'd *Mrs. Bird*, Siſter to Sir *Fisher Tench's* Lady.

— Dy'd at *Bromley* in *Kent*, *Capt. Bromley*, an old Officer in the Navy.

— Dy'd at his Seat at *Coventry*, *Giles Whitlock*, Esq;

— Dy'd at her Houſe in *Poland-ſtreet*, the Lady *Price*, Relict of Sir *John Price* of *Newtown* in *Montgomeryſhire*.

— Dy'd at *Colcheſter* in *Effex*, *John Bodicoat*, Esq;

— *Francis Whitworth*, Esq; appointed Surveyor-General of his Maſteſty's Woods, &c. on the North and South Side the River *Trent*.

— The Rev. *Mr. Williams* made Archdeacon of *St. David's*.

— *Andrew Charlton*, Esq; made Houſe-keeper of his Maſteſty's Houſe at *Newmarket*.

19. Dy'd at her Houſe in *Hatton-Garden*, *Mrs. Crayle*, a rich Widow Lady.



April 19. Dy'd at Bromley near Bow, Mr. Thomas Preston, formerly an eminent Oilman in Thames-street.

20. Dy'd at her House near Grosvenor-Square, the Lady Penelope Russel, a Widow Lady.

— Dy'd at his House at Harlow in Essex, John Carpenter, Esq;

— Dy'd at her Habitation in the Privy-Garden, near Whitehall, Mrs. London, Relict of Mr. London, Master Gardiner to Queen Anne.

21. Dy'd at his House in Duke-street, Westminster, Capt. Richard Smithson, an old Officer in the Army.

— Mr. Hampkin appointed Page to the Presence, and Mr. Lumcask Page of the Back-Stairs to his Royal Highness the Duke of Cumberland.

— The Rev. Dr. Best, Minister of St. Laurence Jewry, marry'd to Miss West, a young Lady of 5000 l. Fortune.

— Webb, Esq; Son to Sir John Webb, marry'd to Miss Gibbon of Great James-street.

22. Dy'd at Enfield, John Sheffield, Esq;

23. Dy'd at Winchester, Thomas Wentworth, Esq;

24. Peter Bettesworth, Esq; Lieutenant-Colonel to Major-General Bisset's Regiment of Foot, appointed Governor of the Island of Jersey.

— The Right Hon. the Marquess of Lothian, appointed his Majesty's Commissioner to the General Assembly of the Kirk of Scotland.

— Richard Hoare, Esq; marry'd to Miss Tully of Charterhouse Square.

25. Dy'd at his House in Broad-street, near the South Sea House, John Hopkins, Esq; reputed worth above 300,000 l.

— Dy'd at Stoke in Hampshire, Philip Hilman, Esq;

— Dy'd at the Bath, John Henley, Esq; of Abbots-Wotton in Dorsetshire.

26. Dy'd at his Lodgings in James street, Covent-Garden, Philip Hardgrove, Esq;

— Dy'd at his House in Leicester-Fields, Brigadier General Pocock.

— Dy'd Mr. Harcourt Master, youngest Son of Sir Harcourt Master, Kt. and Alderman.

— The Lady of the Right Hon. Sir William Yonge, Knight of the Bath, safely deliver'd of a Son.

27. The Lady of Stephen Austin, Esq; safely deliver'd of a Son.

— Charles Sheffield of Banstead near Epsom in Surry, Esq; marry'd to Miss Railton of Ewell.

April 27.

April 27. Mr. *Hart*, a Banker in *Fleet-street*, marry'd to Mrs. *Wanley*; Relict of George *Wanley*, late of *Tottenham* in *Middlesex*, Esq;

April 28. Dy'd of the Stone, in the 66th Year of his Age, the Right Hon. *Thomas Earl of Macclesfield*, Viscount *Parker of Ewelme in Com. Oxon.* and Baron *Parker of Macclesfield in Com. Cestr.* This Nobleman rais'd himself by his Eminence in the Law, and other Talents. Being elected into the House of Commons, he was so distinguish'd in that Assembly, as to be appointed one of the Managers for the Trial of Dr. *Sacheverell*, he being then a Serjeant at Law. During that Trial, he was, upon the Death of the Lord Chief Justice *Holt*, made his Successor by the Queen; and was the last Person on that Side preferred by her, the great Change of Ministry happening presently afterwards. In 1718, he was made Lord High Chancellor of *Great Britain*, upon the Resignation of the Earl *Cowper*, in which Post he continu'd six Years. In the Year 1725, he was impeach'd by the House of Commons for High Crimes and Misdemeanors, (*Vide Hist. Reg. N<sup>o</sup> 38 and 39.*) and found guilty, and fined in the Sum of 30,000*l.* after which, he retir'd to a private Life.

— Mr. *James Mitchel*, an eminent Apothecary at *Hackney*, marry'd to Mrs. *Barnwell*, Widow of the late Mr. *Barnwell*, Common-Council Man of *London*.

29. The Lady of the Right Hon. the Lord Viscount *Limerick* of the Kingdom of *Ireland*, safely deliver'd of a Son.

— Mr. *Graham* of *Garthmore* in *Scotland*, marry'd to Lady *Mary Cunningham*, Daughter to the Right Hon. the Earl of *Glencairn*.

### M A Y.

2. The Right Hon. the Lord *Petre*, marry'd to the Hon. Miss *Ratcliffe*, Daughter of the late Earl of *Derwentwater*.

— Mr. *Robert Clark*, Advocate, is appointed one of the four Commissaries of *Edinburgh*.

— *Francis Seymour*, Esq; 2d Son of Sir *Edward Seymour*, chosen Member of Parliament for *Great Bedwin* in *Wiltshire*.

— The Right Hon. the Lord *Vere Beauclerc*, made one of the Commissioners of the Navy.

May 2.

May 2. Sir *James Nasmyth*, Bart. return'd Knight of the Shire for the County of *Peebles* in *Scotland*.

— Dy'd Miss *Leicester*, Niece to Sir *Nathaniel Curzon*, an Heiress of great Fortune.

3. Dy'd Capt. *William Pugsley* of the *Prince William*, a Merchant Ship.

— About this Time came Advice, that the Hon. *William Taylor*, Esq; Lieutenant-Governor of *New-England*, dy'd there in *March* last.

— *Pattee Byng*, Esq; eldest Son of the Right Hon. the Lord Viscount *Torrington*, made one of his Majesty's Most Hon. Privy Council.

May 4. *Abraham Ambrose*, Esq; 2d Son of the late Sir *Thomas Ambrose*, Kt. was marry'd to a Niece of the late Right Hon. *Elizabeth*, Lady Dowager of *Colrairie*.

— Dy'd at *Newington*, *John Morley*, Esq; a young Gentleman of a plentiful Fortune, arriv'd from the *West Indies*.

— The Lord Viscount *Cullen* of the Kingdom of *Ireland*, was about the same Time marry'd to Miss *Warren*, Daughter of *Borlace Warren*, Esq; Member of Parliament for the Town of *Nottingham*.

5. Dy'd the Lady *Hatton*, Wife to Sir *Thomas Hatton* of *Long Stauton* in *Cambridgeshire*, Bart.

6. Dy'd Mr. *John Rolfe*, many Years Deputy Clerk of the Peace for the City and Liberty of *Westminster*, and Clerk of the Arraignment at *Hicks's-Hall*.

8. Dy'd the Lady *Furnese*, Mother of Sir *Robert Furnese*, Bart.

9. Dy'd Mr. *Samuel Palmer*, an eminent Printer in *London*, who was compiling a History of Printing, some Parts of which are publish'd.

11. Dy'd *Thomas Sures*, Esq; a Gentleman of a Plentiful Estate, and lately a Justice of Peace in *Wiltshire*.

— *William Carr*, Esq; Member of Parliament for *Newcastle upon Tyne*, marry'd to Mrs. *Ellison*, of *St. Helen's Auckland* in the County of *Durham*.

13. The Lady of the Right Hon. the Lord *Harvey*, safely deliver'd of a Son.

15. Dy'd *John Coney* of *Weston Coney* in the County of *Stafford*, Esq;

16. Dy'd Mr. *Pitt*, Head Keeper of *Newgate*.

— Dy'd at *Oxford*, the Hon. *Walter Lowther*, Esq;

— Dy'd *John Collins*, Esq; an old and experienc'd Officer in the Navy.

May 17.



May 17. Dy'd the Rev. Mr. *William Lowth*, Prebendary of *Winchester*, and Author of several Books in Divinity.

— Dy'd at *Bath*, Sir *Henry Ashhurst* of *Waterstoke* in *Oxfordshire*, Bart.

— The Lady of *John Shaftoe*, Esq; Member of Parliament for the City of *Durham*, safely deliver'd of a Son.

18. Dy'd at his House near *Edinburgh*, *Barnaby Barrow*, Esq; Comptroller-General of the Excise in *Scotland*.

— Dy'd Mr. *William Millar*, one of the Ministers of that City.

— Dy'd the Rev. Mr. *John Laurence*, Prebendary of *Salisbury*, and Author of several excellent Pieces on Morality and Gardening.

— *Samuel Reynardson* of *Bloomsbury Square*, Esq; marry'd to Miss *Knipe*, Daughter of the late Sir *Randolf Knipe*, Kt.

— The Rev. Dr. *Gee*, who has a Living in *Yorkshire*, worth near 500 *l. per Ann.* marry'd to Miss *Wywill*, Daughter to Sir *Marmaduke Wywill*, Bart. at Sir *Marmaduke's* House in *Yorkshire*.

19. Dy'd *Nicholas Reaves*, Esq; Examiner in the *London* Brewery belonging to his Majesty's Excise.

20. The Right Hon. the Lord *Abergavenny*, marry'd to the Lady *Rebecca Herbert*, youngest Daughter of the Earl of *Pembroke*.

22. Dy'd at his Lodgings in *Surry-street* in the *Strand*, *Samuel Clark*, Esq; generally call'd Major *Clark*.

— Dy'd Col. *Howe*, an old experienc'd Officer in the Army.

— Dy'd *John Metcalfe*, Esq; one of the Benchers of the Hon. Society of *Gray's-Inn*.

23. The Right Hon. the Earl of *Sunderland*, was marry'd to Miss *Trevor*, Daughter to the Lord *Trevor*.

25. The Lady of *David Polhill*, Esq; was safely deliver'd of a Son.

— The Right Hon. the Lord *Wilmington*, Lord President of his Majesty's Privy-Council, was elected a Governor of the *Charter-house*, in the Room of the Right Hon. the Earl of *Macclesfield*, deceas'd.

— *Payne* of the *Inner-Temple*, Esq; is appointed one of his Majesty's Council in the Dutchy of *Lancaster*, in the Room of *John Finch*, Esq; who hath resign'd.

May 25.

May 25. Dy'd at *Hendon* in *Middlesex*, *Daniel Brown*, Esq; aged upwards of Four-score.

— Dy'd in an advanced Age, *Mr. Edward Goslin*, Senior Carver to the Right Hon. the Lord Mayor.

— Dy'd at the *India Warehouse* *Mr. John Gilbert*, Auctioneer and Warehouse-keeper to the *East-India Company*, and Father of the present worthy Dean of *Exeter*.

27. *George Chamberlayne*, Esq; Member of Parliament, was marry'd to Miss *Hardey*, Daughter of Sir *Thomas Hardey*, a beautiful young Lady, with a Fortune of 10,000*l*.

— *John Holmes*, Esq; succeeded *William Wynne*, Esq; as Captain in General *Pearce's* Regiment.

— *Thomas Paget*, Esq; was made Lieutenant-Colonel of Col. *Ligonier's* Regiment.

— *John Fletcher*, Esq; was made one of the six Commissioners of the Musters in the Kingdom of *Ireland*, in the Room of *Francis Cashel*, Esq; deceas'd.

— Sir *Geo. Cooke*, Kt. surrendr'd the Office of Chief Prothonotary of the Court of Common-Pleas, to his Son *George Cooke* of the *Inner-Temple*, Esq;

— *Richard Thompson*, Esq; one of the Secondaries of the Court of Common-Pleas, purchas'd the Office of Second Prothonotary of ——— *Warner*, Esq; who succeeded *Richard Foley*, Esq; deceas'd.

— Dy'd at his House in *Great Russel-street*, *Thomas Keresby*, Esq;

— Dy'd suddenly in the 28th Year of his Age, at his Father's House in *Coleman-street*, *Mr. William Pestel*, one of the Fellows of *St. John's College, Oxford*, and Son to *Mr. Thomas Pestel*, an eminent Jeweller: He was found dead in his Bed, and had voided a large Quantity of Blood.

29. *Mr. Langley* of *St. Catharine's*, Attorney at Law, was chosen Clerk of the Gard'ners Company, in the Room of *Edward Stables*, Esq; deceas'd.

30. The Lord *Molesworth* had the Honour to kiss his Majesty's Hand, for the late Brigadier-General *Croft's* Regiment of Dragoons.

— Major-General *Russel*, of the first Regiment of Foot Guards, kiss'd the King's Hand upon his being appointed Deputy-Governor of *Berwick* and of *Holy Island*, in the Room of Brigadier-General *Groves*, who is made a Brigadier-General upon the *Irish* Establishment, in the Room of Brigadier-General *Pocock*, deceas'd.

May 30.

May 30. *Archibald Hamilton*, Esq; for the Lord *Molefworth's* Regiment of Foot. And,

— Brigadier-General *Moyle*, for the late Brigadier-General *Pocock's* Regiment of Foot.

— Dy'd at *Chelsea*, in the 81st Year of his Age, the Rev. Dr. *John King*, Minister of the Church there.

— Dy'd at *Highgate* Mr. *Norris*, formerly a Book-seller on *London-Bridge*, reckon'd to have dy'd worth 10,000 l.

— Ensign *Lindsey*, of Lord *Mark Kerr's* Regiment, kiss'd his Majesty's Hand for a Commission in the Third Regiment of Foot Guards.

— Major *Richard Harwood* appointed Lieutenant Colonel to Major General *Bisset's* Regiment of Foot, in the Room of Lieut. Col. *Peter Bettefworth*, who was made Deputy Governor of the Island of *Jersey*.

— His Majesty was pleas'd to make the following Promotions in the Army: Major General *Philip Honeywood* to be Commander of the Regiment of Dragoons, lately the Lord *Carpenter's*, deceas'd. The Lord *Mark Kerr* to be Colonel of the Regiment of Dragoons, lately the said Major-General *Honeywood's*. Col. *John Middleton*, Representative in Parliament for the Burghs of *Aberdeen*, *Inverberg*, *Montrose*, &c. to be Colonel of the Lord *Mark Kerr's* former Regiment of Dragoons; And, the Earl of *Roths*, one of the 16 Peers for *North-Britain*, to be Colonel of the Regiment of Foot, lately Col. *John Middleton's*.

June 1. His Majesty has been pleas'd to appoint *Samuel Tuffnell*, Esq; Member of Parliament for *Colchester* in *Essex*, to be his Majesty's Commissioner at *Antwerp*, and he had the Honour to kiss the King's Hand there-upon.

June 2. *John Walton*, Esq; was married at *St. Pauls Church*, to Mrs. *Jacobson*, Daughter of Sir *Jacob Jacobson*, and Grandaughter of Sir *Gilbert Heathcote*.

— Dy'd the Rev. Mr. *William Owens*, M. A. Rector of *Warden*, and Vicar of *Leydown*, in the Diocese of *Canterbury*.

Dy'd *Cotes of Dodington* in *Cheshire*, Esq; who marry'd the Lady *Delves*, Relict of Sir *Thomas Delves*, Bart. he has left only one Daughter.

— Dy'd the Right Worshipful *Thomas Allen*, LL.D. Dean of *Chester*, Arch-deacon of *Stafford*, Rector of *Stoke*, and one of his Majesty's Justices of the Peace for the County of *Stafford*.



June 2. Sir Rowland Hill, Bart. a young Gentleman of 8000 *l.* a Year, was marry'd to Miss Broughton, Daughter of the late Sir Bryan Broughton, Bart. of Broughton in the County of Stafford.

— Dy'd at his House in Old Palace Yard, Westminster, the Learned and Reverend Edmund Calamy, D. D.

— Col. Inwood of Stanmoore in Middlesex, of the First Regiment of Foot Guards, was marry'd to Miss Bridges, Niece to the Duke of Chandos at his Grace's House in St. James's Square.

June 3. His Majesty set out to visit his German Dominions, and landed in Holland on the 10th, about Three in the Afternoon, safe and in good Health.

4. John Wainwright of Lincoln's Inn, Esq; is made one of the Justices of the Court of Common Pleas in Ireland.

5. Dy'd the Rev. Mr. Robert Coppin.

— Dy'd at his House in New Bond-street, after a few Days Illness, John Scott, Esq; a Justice of Peace for Middlesex and Westminster.

8. Dy'd at his House in Hackney Mr. Allard Denn, an eminent Brewer.

9. Thomas Clutterbuck, Esq; unanimously re-elected Member of Parliament for the Borough of Leskard in Cornwall, his Seat in Parliament being vacant by his accepting the Office of one of the Lords of the Admiralty, in the Room of John Cockburn, Esq;

— Sir Thomas Peyton of Dodington, in the Isle of Ely, Bart. married to Mrs. Skeffington, a Leicestershire Lady of 20000 *l.* Fortune.

12. Dy'd at West Wickham in the County of Kent, the Lady Lennard, Relict of Sir Stephen Lennard, Bart.

13. Dy'd Mr. Thomas Searle, an Attorney at Law, and Under-Sheriff for the County of Essex.

— The Lady of Sir Charles Blackwell, Bart. was safely deliver'd of a Son.

14. Sir William Keith, Bart. elected Knight of the Shire for Aberdeen, in the Room of Sir Archibald Grant, Bart. expell'd the House of Commons.

15. The Rev. Mr. Aylesmore, a Relation of Sir Hans Sloan, Bart. presented by Sir Hans Sloan to the Living of Chelsea, worth about 400 *l.* per Ann. vacant by the Death of the Rev. Dr. King.

— Counsellor Fulkcs of the Temple, appointed Register of the Alienation Office, in the Room of Mr. Serjeant Webb, deceased.

June 15.

June 15. Dy'd at *Petersfield* in *Hampshire*, after a long Illness, *John Ridge*, Esq;

— *John Ozell*, Esq; presented *Marriot*, Esq; Son of *Reginal Marriot*, Esq; to be Auditor of the City and Bridge-works Accounts.

— Dy'd *Martin Jubbs*, Esq; formerly a Barrister at Law, aged 69 Years.

16. Dy'd at *Bethnal Green*, after a long Illness, *Mr. Robinson*, one of the Tide Surveyors belonging to his Majesty's Customs.

— Dy'd Col. *Joseph Crisp*.

17. Dy'd *Mr. John Hammers*, a Wholesale Grocer in *Gracechurch-Street*.

18. Dy'd *Mr. Sedgwick* an eminent *Hamburgh* Merchant.

— *Francis Clarke*, Esq; one of the Gentlemen daily Waiters to her Majesty, appointed Gentleman Usher to her Majesty.

— Dy'd *Edwin Rawsterne*, Esq;

19. His Majesty was please to confer the Dignity of a Baronet of *Great Britain* upon *Mark Stuart Plydele* of *Colehill* in the County of *Berks*, Esq;

As also to grant to *Thomas Robe* and *Charles Peter*, Esq; the Office of Clerk of the Market of his Majesty's Household, as well within the Liberties as without.

20. Dy'd at *Edmonton*, in the 60th Year of her Age, the Lady *Monson*, Mother to the Right Hon. *John Lord Monson*, Knight of the Most Hon. Order of the *Bath*.

21. *Thomas Symmonds*, Gent. was promoted to be an Ensign in the first Regiment of Foot Guards, commanded by *Sir Charles Wills*.

— Dy'd the Rev. *Mr. Emmerson*, Rector of *St. Ethelburga's* in *Bishopsgate-street*.

— Dy'd at *Croydon* in *Surry*, *Mrs. Sarah Coward*, Wife to *Mr. Coward*, Attorney at Law, and Clerk to the *Sadlers Company*.

— Dy'd at *Northampton* *Mr. Rose*, a very eminent Attorney.

— Dy'd *Capt. Smith*, an old experien'd Sea Officer.

22. About this Time came Advice that the Hon. *Benedict Leonard Calvert*, who had some Time been Governor of *Maryland*, in coming from thence for *England*, died in his Passage at Sea.

23. *Savery* of the *Middle Temple*, Esq; Barrister at Law, and Son of *Major Savery* of *Greenwich*, Esq; made one of the deputed Surveyors from the  
Trea-

Treasury to the Custom-House, in the Room of Mr. Robinson, deceas'd, a Place worth about 300 l. per Ann.

June 23. The Lady of Sir William Morris, Member of Parliament, was brought to Bed of a Daughter at his House near the Admiralty-Office at White-hall.

— Dy'd suddenly Major Watts of the Isle of Wight, at his Lodgings in Church Court in the Strand.

24. The Rev. Mr. Wyat, Vicar of West Ham in Essex, was collated by the Lord Bishop of London, to the Rectory of St. Alphage by London Wall, vacant by the Death of Dr. Brooke, and is likewise appointed one of his Lordship's Chaplains.

— Dy'd at Manchester, Thomas Walbancke, Esq; Collector of Excise for Lancaster Collection.

— Robert Alsop, Esq; and Henry Hankey, Esq; Aldermen and Haberdashers, elected Sheriffs for the City of London and County of Middlesex.

25. Dy'd at Epsom in Surry, Mr. Sidevele, an eminent Spanish Merchant.

— The Right Hon. the Earl Cowper w<sup>as</sup> marry'd to the Lady d' Auverquerque, Daughter to the Right Hon. the Earl of Grantham, Lord Chamberlain to her Majesty's Household.

26. Dy'd suddenly George Foulke, Esq;

27. Dy'd after a tedious Indisposition, Narcissus Luttrell, Esq;

28. Lionel Vane, Esq; is made Clerk of the Council to his Royal Highness the Prince of Wales, in the Room of John Wainwright, Esq; made one of the Justices of the Common Pleas in Ireland.

29. Charles Hanbury Williams, Esq; marry'd to the Lady Frances Coningsby, youngest Daughter to the late Earl of Coningsby.

30. Matthew Concanen, Esq; Barrister at Law, of the Inner Temple, was appointed his Majesty's Attorney-General to the Island of Jamaica, in the Room of Alexander Henderson, Esq; deceas'd.

— The Rev. Mr. Price of Newington, was presented to the Living of St. Ethelburga within Bishopsgate, by the Right Rev. the Lord Bishop of London.

— The Hon. Sir Charles Wager, Rear Admiral of the Red, was appointed Admiral of the Blue.

— Sir George Saunders, one of the Commissioners of the Navy, appointed Rear Admiral of the White.

July 1.



J U L Y.

July 1. Died Mrs. *Anne Foster*, a Maiden Lady, worth 12,000 l.

— Died in Ireland, Sir *Thomas Smyth*, Bart. of Redcliffe in Buckinghamshire.

— Sir *Thomas Hatton* of Cambridgeshire, Bart. married to Mrs. *Henrietta Astley*, Daughter of the late Sir *James Astley*.

July 2. His Excellency Count *Degenfeldt*, Envoy from the King of Prussia, had his Audience of Leave of her Majesty, and the rest of the Royal Family.

— Died the Lady *Wrottesley*, of the County of Stafford.

July 3. Died *Thomas Woodcock*, Esq; one of his Majesty's Justices of the Peace, and first Commissioner of the Salt Duties.

— Died *William Dodd*, Esq; a Gentleman of a plentiful Fortune.

— Died Mrs. *Anne Smith*, at her House in Bartholomew-Close, a Widow Lady of a plentiful Fortune.

— *Lucy Knightley* of Fawsley in Northamptonshire, Esq; married to Mrs. *Adams*.

July 5. Died suddenly in Wiltshire the Right Hon. *George Brudenel*, Earl of Cardigan.

— Died at his House in Coleman-street, Mr. *David Bosanquet*, Sen. an eminent Turkey Merchant, reputed worth above 100,000 l.

July 7. Died Mrs. *Jane Steele*, a Maiden Lady worth 6000 l.

— Died the Lady *Cass*, Relict of Sir *John Cass*, Knt. and Alderman of London.

July 8. The following Promotions were about this Time made in his Majesty's Navy, viz.

— Sir *Charles Wager*, Vice-Admiral of the Red, made Vice-Admiral of the Blue.

— Sir *George Walton*, Vice-Admiral of the White, made Vice-Admiral of the Red.

— *Salmon Morris*, Esq; Vice-Admiral of the Blue, made Vice-Admiral of the White.

— *Philip Cavendish*, Esq; Rear-Admiral of the Red, made Vice-Admiral of the Blue.

— *John Balchen*, Esq; Rear-Admiral of the White, made Rear-Admiral of the Red.

— *Charles Stuart*, Esq; Rear-Admiral of the Blue, made Rear-Admiral of the White.

E

July 8. Sir

July 8. Sir George Saunders made Rear-Admiral of the Blue Flag, in the Room of *Charles Stuart*, Esq;

— *Christopher Rhodes*, Esq; appointed Comptroller of the Revenues and new Duties of Excise and Imposts in Scotland, in the Room of *Barnaby Burrow*, Esq;

— Died the Rev. Mr. Copley, Rector of *Thornhill* in *Yorkshire*, a Rectory of 500 l. per Ann.

July 16. Died at *Bromfield* in *Essex*, the Right Hon. the Countess of *Donnegal* of the Kingdom of *Ireland*.

— Died suddenly the Hon. Col. *Egerton*, Brother to his Grace the Duke of *Bridgewater*, and Colonel of a Regiment of Foot on the *Irish* Establishment.

— Died at her Lodgings on the Abbey-Hill at *Edinburgh*, her Grace *Elizabeth*, Senior Dutches Dowager of *Gordon*, Daughter of *Henry* Duke of *Norfolk* of the Kingdom of *England*, and Grandmother to his Grace the present Duke of *Gordon*.

July 17. Died at his House in *Red-Lyon Square*, *Martin Fellows*, Esq;

— *Thomas Beasley*, Esq; made Collector of his Majesty's Customs in *Pensilvania*, in the Room of *William Erdman Fox*, Esq; deceas'd.

— *Charles Hardy*, Esq; Captain of the *Caroline* Yatcht, made one of the Directors of the Royal Hospital at *Greenwich*, in the Room of *Thomas Wainwright*, Esq; made one of the Barons of the Exchequer in *Ireland*.

— *Robert Pauncefort*, Esq; appointed Steward to his Royal Highness the Prince of *Wales*, for his Manor of *Kennington*.

July 19. Died at *Sevenoaks* in *Kent*, Capt. *John Darby*, an old Half-pay Officer.

July 20. *Francis Annesley*, Esq; of the *Inner-Temple*, and Representative in Parliament for *Westbury* in *Wiltshire*, married to *Mrs. Gumbleton* of *Red-Lyon Square*, a Widow Lady of a great Fortune.

— Sir *Arthur Forbes* of *Cragiever*, chosen Member of Parliament for the County of *Aberdeen*, in the Room of Sir *Archibald Grant*, expelled the House.

Dy'd Mr. *Paterfon*, an eminent Wholesale Linnen-Draper in *King-Street* near *Guildhall*.

July 21. *Barnardiston* of *Brightwell-Hall* in *Suffolk*, Esq; married to Miss *Jennings*, Niece to the Lady *Probyn*.

— Her Majesty sign'd a Commission to *Diego Spencer*, Esq; to be Captain Lieutenant of a Regiment of Foot on the *Irish* Establishment.

July 20. Sir

July 20. Sir *Adolpus Oughton*, Member of Parliament for the City of *Coventry*, and Major *Sinclair*, Member of Parliament for the Burghs of *Dysart*, *Kirkaldie*, &c. nominated to succeed to the Commands of two Regiments of Foot on the *Irish* Establishment, vacant by the Deaths of Major General *Dubourgay* and Col. *Egerton*.

— Dy'd at *Walthamstow* in *Essex*, *Samuel Stannot*, Esq;

— *Thomas Jennings*, Esq; married to Mrs. *Anne Canfo*, a Widow Lady of 20,000 l.

— *Edward Perkins* of *Pilston* in the County of *Monmouth*, Esq; married to Mrs. *Winterbourn* (Niece to the Countess of *Abercorn*) a Lady of 20,000 l.

— Mr. *John Spackman* and Mr. *Henry Taure* made Factors to the South-Sea Company at *Buenos Ayres*.

July 23. Died *John Lane*, Esq; whose Daughter was married to the late Earl of *Macclesfield*. He was said to die worth 200,000 l.

— Dy'd Miss *Gallway*, Daughter of the Right Hon. the Lord *Gallway* of the Kingdom of *Ireland*.

July 24. Died at his House in *Bolt Court*, *Fleet Street*, Mr. *Marriott*, an eminent Attorney.

— Mr. *Parkhurst*, appointed by the Earl of *Hallifax*, one of the Clerks of the Treasury, in the Room of Mr. *Seager*, deceas'd.

— Dy'd Mrs. *Sloane*, Wife to *William Sloane*, Esq; and Daughter to Sir *Gilbert Heathcote*, Knt. Father of the City of *London*.

— Died at *Cnelsea* Mrs. *Ashley*, a Widow Lady of a very considerable Fortune.

July 25. Died at the *Bath* the Lady *Douglas*, Wife of Sir *William Douglas*, late Member of Parliament for *Cardigan* in *South-Wales*.

— Col. *Eaton* married to Miss *Hodges*, a Lady of 4000 l. Fortune.

— Dr. *Delary*, Chancellor of St. *Patrick's*, *Dublin*, married to Mrs. *Tenison*, a Widow Lady of a very great Fortune.

July 27. Dy'd at his Seat at *Nafs* in *Gloucestershire*, *Raynon Jones*, Esq; one of the Verdurers of the Forest of *Dean*.

July 31. Died at *East-Sheen* in *Surrey*, Mrs. *Jolliff*, a Widow Gentlewoman of a very considerable Fortune.

— This Day her Majesty signed a Commission, appointing *Horatio Manley*, Esq; a Captain of a Company of Foot in a Regiment on the *Irish* Establishment. Also



A Commission to *Thomas Towers*, Gent. to be an Ensign in another Regiment on the *Irish* Establishment.

## AUGUST.

Aug. 1. Died at *Hampstead* Mrs. *Afgil*, a Widow Gentlewoman, reputed worth 30,000 l.

Aug. 2. Died suddenly Mr. *Johnson*, formerly a Commander of several Ships in the *Guinea* and *West-India* Trade.

Aug. 5. Died at the *Bath* the Hon. *Charles Ross*, Esq; General of the Horse, Colonel of the *Royal Irish* or *Inniskilling* Regiment of Dragoons, and Knight of the Shire of *Ross* in *Great Britain*.

Aug. 6. Died at his Seat near *Guilford* in *Surrey*, *James Langham*, Esq;

Aug. 7. Died at his House in *Piccadilly*, How, Esq; a Gentleman possessed of a plentiful Estate.

Aug. 8. Died suddenly at *Colnebrook*, Mr. *Goodwin*, formerly an eminent *West-India* Merchant of this City.

— Died *Daniel Hayes*, Esq; an eminent Merchant in *Mark-lane*, and Remitter of Money between *London*, *Paris*, and *Dublin*.

— Died the Lady *Anne Ashburnham*, only Daughter of the Right Hon. the Lord *Ashburnham* by his second Lady.

— Died the Lady *Abdy*, Wife of Sir *Robert Abdy*, Bart. Knight of the Shire for the County of *Essex*, at his Seat at *Albys* in the said County.

— Died Mr. *Lane*, one of the Band of Gentlemen Pensioners to his Majesty.

Aug. 9. Died at his Lodgings at *Charing-Cross*, *John Sunderland*, Esq; a Gentleman of a plentiful Fortune.

— Died at *Epsom*, Mr. *Beacher*, an eminent Dry-Salter.

— Died Mrs. *Foxley*, Wife of *Benjamin Foxley*, Esq; an eminent *Hamburgh* Merchant.

Aug. 10. Died Mr. *James Field*, an Attorney at Law at *Odiham* in *Hampshire*, a Gentleman of good Fortune.

— Her Majesty appointed the Rev. Mr. *Carleton* one of the King's Chaplains, a Sub-Dean of the Chapel Royal at *St. James's*.

Aug. 11. Died Mr. *Patrick Bourne*, one of the Chace Men to her Majesty.

Aug. 11.

Aug. 11. The Hon. William Finch, Esq; next Brother to the Earl of Winchelsea, appointed his Majesty's Envoy Extraordinary at the Court of Spain.

— Mr. Howarth, Son of Sir Humphry Howarth, Knt. Member of Parliament for the Shire of Radnor, made one of the Clerks of the Treasury.

— The Lady of Thomas Shelly, Esq; one of the Commissioners for the Stamp-Duties, brought to Bed of a Son.

— Thomas Caldecott of Calthorp in Northamptonshire, Esq; married to Miss Fish, a young Lady of 10,000*l.* Fortune.

— Edward Stephens, Esq; appointed by the Royal African Company, Governor and Chief of Cape Coast Castle, and all their Settlements and Forts on the Coast of Africa.

Aug. 12. Died at Richmond Mr. Martin, an eminent French Merchant.

Aug. 16. Died at Hampstead Sir Thomas Hardy, formerly Captain of the Bedford and Pembroke Men of War, and Rear-Admiral of the Red.

— About this Time the Hon. Mrs. Fox, Daughter to the late Lord Bingley, and Wife to George Fox, Esq; was safely deliver'd of a Son and Heir.

As also the Wife of Thomas Geers Wingfield, Esq; Representative in Parliament for Hereford, of a Daughter.

— Died at Edinburgh James Craig of Ricartown, Esq; Professor of the Civil Law in that City.

— Died Mr. Castlemain of Southampton Buildings, a noted Attorney at Law.

— Died Mr. Drysdale, an eminent Brewer of Goodman's Fields.

— Died Timothy Hutchinson, Esq; late of the Six Clerks Office.

— Died at his Seat in Yorkshire Sir Darcy Daws, Bart. Son of the late Sir William Daws, Lord Archbishop of York.

About this Time Henry Bartlet, Esq; Nephew to Mr. Alderman Parsons, died at Paris.

Aug. 17. John Evelyn, Esq; one of the Equerries to his Royal Highness the Prince of Wales, Son of Sir John Evelyn, one of the Commissioners of the Customs, married to a Daughter of the Lord Viscount Falmouth, a Fortune of 10,000*l.*

— Henry Bellafyse, Esq; Son and Heir of Sir Henry Bellafyse, Bart. and a near Relation of the Lord Fauconbridge,

A Commission to *Thomas Towers*, Gent. to be an Ensign in another Regiment on the *Irish Establishment*.

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*Aug. 7.* Died at his House in *Piccadilly*, *How*, Esq; a Gentleman possessed of a plentiful Estate.

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— Died *Daniel Hayes*, Esq; an eminent Merchant in *Mark-lane*, and Remitter of Money between *London*, *Paris*, and *Dublin*.

— Died the Lady *Anne Ashburnham*, only Daughter of the Right Hon. the Lord *Ashburnham* by his second Lady.

— Died the Lady *Abdy*, Wife of Sir *Robert Abdy*, Bart. Knight of the Shire for the County of *Essex*, at his Seat at *Albys* in the said County.

— Died *Mr. Lane*, one of the Band of Gentlemen Pensioners to his Majesty.

*Aug. 9.* Died at his Lodgings at *Charing-Cross*, *John Sunderland*, Esq; a Gentleman of a plentiful Fortune.

— Died at *Epsom*, *Mr. Beacher*, an eminent Dry-Salter.

— Died *Mrs. Foxley*, Wife of *Benjamin Foxley*, Esq; an eminent *Hamburgh* Merchant.

*Aug. 10.* Died *Mr. James Field*, an Attorney at Law at *Odiham* in *Hampshire*, a Gentleman of good Fortune.

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— Mr. *Howarth*, Son of Sir *Humphry Howarth*, Knt. Member of Parliament for the Shire of *Radnor*, made one of the Clerks of the Treasury.

— The Lady of *Thomas Shelly*, Esq; one of the Commissioners for the Stamp-Duties, brought to Bed of a Son.

— *Thomas Caldecott* of *Calthorp* in *Northamptonshire*, Esq; married to Miss *Fish*, a young Lady of 10,000 *l.* Fortune.

— *Edward Stephens*, Esq; appointed by the Royal African Company, Governor and Chief of *Cape Coast Castle*, and all their Settlements and Forts on the Coast of *Africa*.

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As also the Wife of *Thomas Geers Wingfield*, Esq; Representative in Parliament for *Hereford*, of a Daughter.

— Died at *Edinburgh* *James Craig* of *Ricartown*, Esq; Professor of the Civil Law in that City.

— Died Mr. *Castlemain* of *Southampton Buildings*, a noted Attorney at Law.

— Died Mr. *Drysdale*, an eminent Brewer of *Goodman's Fields*.

— Died *Timothy Hutchinson*, Esq; late of the Six Clerks Office.

— Died at his Seat in *Yorkshire* Sir *Darcy Darws*, Bart. Son of the late Sir *William Darws*, Lord Archbishop of *York*.

About this Time *Henry Bartlet*, Esq; Nephew to Mr. Alderman *Parsons*, died at *Paris*.

Aug. 17. *John Evelyn*, Esq; one of the Equerries to his Royal Highness the Prince of *Wales*, Son of Sir *John Evelyn*, one of the Commissioners of the Customs, married to a Daughter of the Lord Viscount *Falmouth*, a Fortune of 10,000 *l.*

— *Henry Bellasyse*, Esq; Son and Heir of Sir *Henry Bellasyse*, Bart. and a near Relation of the Lord *Fauconbridge*,

bridge, married to Miss Billingsly of Pall Mall, a rich Heiress.

Aug. 17. Died Mr. Wheatley, an eminent Dyer in Southwark.

— Mr. Joshua Winter, an eminent Linnen Draper in Cornhill, married to Miss Brinsden, Daughter to Mr. Brinsden, Ship-builder, a great Fortune.

— Died at Chelsea Mrs. Score, Wife to William Score, Esq; Solicitor to his Royal Highness the Prince of Wales.

About this Time came News of the Death of Sir William Ellis at Rome, who was an old Servant of the Chevalier de St. George.

Aug. 18. Died at his House in Billiter-Square, Mr. Isaac Fernandez Nunez, a rich Jewish Merchant.

— Died at Tunbridge Mrs. Fervise, a Widow Lady of Rochester, of 300 l. per Ann.

Aug. 19. The University of Oxford, in full Convocation, conferr'd the Degree of Doctor of Laws on the Right Hon. the Earl of Litchfield, the Lord Gower, Sir Thomas Sebright, Bart. and Watkin Williams Wynne, Esq;

Aug. 20. Died Jefferies of Croydon, Esq;

Aug. 21. Died the Rev. Mr. Evans, Senior Prebendary of Westminster, and Vicar of St. Brides in Fleetstreet.

Aug. 22. The Dutcheß of Kent was brought to Bed of a Son and Heir.

— The Lady Clifford, Relict of the late Lord Clifford, brought to Bed of a Son and Heir.

— Died John Storer of Greenwich, Esq;

Aug. 24. Mrs. Ivie, Granddaughter to Mr. Justice Price, and Wife of John Ivie, Esq; safely deliver'd of a Son.

— Died at his Seat at Swindon in Wiltshire, Richard Goddard, Esq; one of the Representatives for that County, in the last Parliament.

— Died at his Seat in Suffolk Sir Edward Duke, Bart.

Aug. 25. Died at his House in Crutched-Fryars, John Hanbury, Esq; Governor of the Company of Merchant Adventurers of England, and Deputy-Governor to the South-Sea Company.

Aug. 26. Died at Daventry in Northamptonshire, John Cole, Esq; a Gentleman of a plentiful Fortune.

The Lords of the Admiralty appointed Capt. Edward Smith to be Commander of the new Sloop call'd the Spy;

Spy; and Lieutenant *William Fielding* to be Lieutenant of the same.

Aug. 26. Died Major *Benbow*, formerly of the first Troop of Guards, at his House in *Little St. Martins-lane*.

— Died at his Habitation at *Mile End*, aged 74, Major *Stuart*, a Half-pay Officer, and Brother to the late General *Stuart*.

— Mr. *Richard Graydon*, made Ensign in Sir *Charles Hotham's* Regiment of Foot at *Port-Mahon*.

— Died Mr. *Pickering*, an eminent Writing Master in *Pater-noster Row*.

— *Thomas Killback*, Esq; made an Ensign in the First Regiment of Foot Guards, commanded by Sir *Charles Wills*.

— Died in *Ireland*, of a Mortification in her Bowels, the Lady *Harriet*, Wife to the Right Hon. *John* Earl of *Orrery*, and Daughter to *George* Earl of *Orkney*.

Aug. 30. *George Purvis*, Esq; Representative in Parliament for *Alborough* in *Suffolk*, elected unanimously one of the Elder Brothers of *Trinity House* at *Deptford-strond*, in the Room of Sir *Thomas Hardy*, deceas'd.

— The Hon. Mr. *Boscarwen*, Son to the Right Hon. the Lord Viscount *Falmouth*, made third Lieutenant on board his Majesty's Ship the *Hector*.

— Died at *Durham*, *Joseph Hall*, Esq; a Counsellor at Law, worth 2000 l. per Ann.

— Died at her House in *Salisbury Court*, Mrs. *Daffy*, Preparer of the Elixir known by that Name.

— *John Hibden*, Esq; married to Miss *Preston* of *Lad-lane*.

— Died Capt. *Tracy*, Son to the late Mr. Justice *Tracy*, of a sudden vomiting of Blood.

— A Patent pass'd, appointing the Rev. Dr. *Bundy*, one of his Majesty's Chaplains, a Prebendary of *Westminster*, in the Room of Dr. *Aspinwall*, deceas'd.

## S E P T E M B E R.

Sept. 1. The Lords of the Admiralty appointed Capt. *Richard Symonds* to be Commander of the *Shark* Sloop, and Mr. *Dennis* to be Lieutenant of the same.

— *Richard Arundell*, Esq; Surveyor of his Majesty's Works, and Representative in Parliament for *Knareborough* in *Yorkshire*, married to the Lady *Frances* Manners, youngest Sister to the Duke of *Rutland*.

Sept. 1.



Sept. 1. *Holland Wilson*, Esq; appointed Captain-Lieutenant of a Company in the Regiment commanded by Col. *Pierce Kirke*.

— *William Corbett*, Esq; Cashier of his Majesty's Navy, appointed by the Lords of the Admiralty, one of the Directors of *Greenwich Hospital*, in the Room of *John Hanbury*, Esq; deceas'd.

— Died at the *Devizes* in *Wiltshire*, Dr. *Matthews*, an eminent Physician.

Sept. 2. Died *John Sandby*, Esq; Chief Clerk to the the Right. Hon. *Henry Pelham*, Esq; Pay-master General of his Majesty's Forces.

— Died at his Seat at *Endfield*, *Isaac Beddington*, Esq; an eminent *Turkey Merchant*, and Husband of that Company many Years.

— Died *Sir Edward Beecher*, Alderman of *Bishopsgate Ward*, and formerly Lord-Mayor of *London*.

— The Rev. *William Egerton*, LL.D. presented by the Dean and Chapter of *Christ Church*, *Canterbury*, to the Rectory of *Allhallows Lombard street*.

Sept. 3. Died *William Taylor*, Esq; Usher of the Long Room in the Custom-house, a Place worth 500 l. per Ann. *Sir John Norris* has a Grant from the Crown of that Place to his Son, who has since taken Possession thereof.

— *Augustus Vipont*, Esq; appointed Captain Lieutenant of a Company on the *Irish Establishment*, commanded by Col. *Roger Handasyde*.

Sept. 5. *Robert Godschall*, Esq; elected without Opposition, Alderman of *Bishopsgate Ward*.

— Died suddenly at *Hornchurch* in *Essex*, *William Bridges*, Esq; of *Nelmes* in that Parish.

— The Lady of the Right Hon. the Lord Viscount *How*, was safely deliver'd of a Daughter.

— The Hon. General *Ruffel*, of the First Regiment of Foot Guards, married to Mrs. *Frankland*, a Widow Lady of a great Fortune.

Sept. 6. Died at *Mitcham* in *Surrey*, Major-General *Harvey*, Brother to *William Harvey* of *Comb*, in the County of *Surrey*, Esq;

— Died at her House in *Albemarle-street*, the Hon. Mrs. *Bennet*, Great Aunt to the Earl of *Salisbury*; who succeeds by her Death to 4000 l. per Ann.

— Died *Thomas Railton*, Esq; one of the Justices of the Peace for *Westminster*, who had a Place of 500 l. per Ann. in the Exchequer.

Sept. 6.

Sept. 6. Died at her Seat at *Banstead* in *Surrey*, Mrs. *Fellows*, a Maiden Lady of a plentiful Fortune.

— *Hatch Moody*, Esq; first Clerk in the Pay-Master-General's Office, made Chief Accomptant in the said Office.

— *Peregrine Fury*, Esq; of the War Office, made one of the Chief Clerks in the Pay-Master General's Office.

— *Benjamin Bathurst*, Esq; chosen Verdurer of his Majesty's Forest of *Dean*, in the Room of *Raynon Jones*, Esq; deceas'd.

— Dy'd the Hon. Major-General *Harvey*, Brother to *William Harvey* of *Comb* in *Surrey*, Esq;

— Died at his Seat at *Haslemere* in *Surrey*, *William Broughton*, Esq; one of the Justices of the Peace for that County.

Sept. 9. Died *Francis Negus* of *Dallinghoe*, in the County of *Suffolk*, Esq; Representative in Parliament for *Ipswich*, Avener and Clerk Martial to his Majesty, Master of his Majesty's Buck Hounds, Ranger of *Swinly Chase*, Lieutenant and Deputy Warden of *Windfor Forest*.

— Died *Thomas Sutton*, Esq; one of the Justices of the Peace for *Middlesex*.

Sept. 10. Died *George Goldham* of *Plaistow* in *Essex*, Esq;

Sept. 11. Died in *Buckinghamshire*, *Abraham Stanyan*, Esq; late Ambassador at the *Ottoman Porte*, and after his Return made one of the Keepers of the Privy-Seal.

— The Rev. Dr. *John Wilcox* made one of the Prebendaries of the Cathedral Church of *St. Paul*.

Sept. 14. Mr. *Evelyn*, second Son of Sir *John Evelyn*, married to Miss *Prideaux*, a *Devonshire* Lady, of 40,000 l. Fortune.

Sept. 18. *William Vaughan*, Esq; Custos Rotulorum for the County of *Merioneth*, married to Mrs. *Catharine Nanney* of the same County, an Heiress of 1500 l. per Ann.

— Mr. *Pennington*, Son of Sir *Joseph Pennington*, made one of the Clerks of the Treasury.

— Died Mr. *Daniel Alford*, an eminent *West-India* Merchant of this City.

Sept. 20. Died Mrs. *Reeves*, Wife of Counsellor *Reeves*.

— Died Capt. *John Warner*, of *Stepney*, an old Commander in the *West-India* Trade.

Sept. 21. The Lady of *Temple Stanyan*, Esq; Under-Secretary of State, was brought to Bed of a Son.

Sept. 22. Died Mr. *Herman Moll*, an eminent Geographer.

— Died Sir *Ralph Hare*, Bart. at his Seat near *Lynn* in *Norfolk*.

Sept. 23. Died the Hon. Col. *Sidney Godolphin*, Representative in Parliament for the Borough of *St. Germain* in *Cornwall*, Auditor of the Principality of *Wales*, Governor of the Island of *Scilly*, and one of the Governors of *Greenwich Hospital*.

Sept. 27. Died *Robert Wilks*, Esq; the celebrated Player, and one of the Masters of the Theatre-Royal in *Drury-lane*.

— Died *Henry Masterman*, sen. Esq; formerly one of the Clerks of the Crown-Office.

— Died at *Nottingham*, *Thomas White*, Esq; Member of Parliament for that Town.

Sept. 28. Died the Rev. Mr. *Cook*; Minister of *Hornsey*, near *London*.

— The Right Hon. *Francis Child*, Esq; Lord-Mayor, and *John Barnard* and *Henry Hankey*, Esqs. Aldermen of this City, had the Honour of Knighthood conferred upon them by his Majesty.

— *Richard Aldworth*, Esq; appointed Lieutenant and Deputy Warden under his Grace the Duke of *St. Albans*, Constable of his Majesty's Castle of *Windsor*, and Lord Warden of the Forest.

Sept. 29. Died the Right Hon. the Lord *Lewisham*, only Son to the Right Hon. the Earl of *Dartmouth*.

## OCTOBER.

Oct. 1. Died the Lady *Mary Cockburn*, Wife of Dr. *William Cockburn*, an eminent Physician in *London*.

Oct. 6. Died *George Duckett*, Esq; one of the Hon. Commissioners of Excise.

— Died at *Bristol* Mrs. *Creswick*, Wife of Dr. *Creswick*, Dean of the Cathedral there.

— Died at his Seat near *Brentwood* in *Essex*, — *Dawtre*, Esq; a Justice of the Peace, and a Gentleman of a very large Estate.

Oct. 7. Died Mr. *George Richardson* of the Custom-House.

— Died Mr. *George Woodford*, formerly a *Blackwell-Hall* Factor.

— Died *William Temple*, Esq; Nephew to the Right Hon. the Lord Viscount *Palmerstoun*.

Oct. 7.



Oct. 7. *Humphrey Thayer*, Esq; appointed one of the Commissioners of Excise. And

*Christopher Wyvill*, Esq; Correspondent to the Commissioners, made Inspector General in the Room of the said *Humphrey Thayer*, Esq; And

— *John Wyndham*, Esq; made Correspondent to the Commissioners in the Room of the said *Christopher Wyvill*, Esq;

— *James Lock*, Esq; chosen Husband to the *Turky Company*.

— The Right Hon. the Earl of *Portmore* married to her Grace the Dutchess of *Leeds*.

— The Rev. Dr. *Wright*, Rector of *Christ Church*, *Spittle-Fields*, married to Miss *Mertins*, a young Lady of 6000*l.* Fortune.

— Mr. *Lechmere*, Cousin and Heir to the late Lord *Lechmere*, married to Miss *Charleton*, Daughter of Sir *Blunden Charleton* of *Herefordshire*, Bart.

Oct. 9. The Right Hon. the Earl of *Cholmondeley* made Governor of the Island of *Guernsey*.

— The Hon. Col. *Edward Montague* made Governor of *Kingston upon Hull*.

— Capt. *John Preston* made Town-Major of *Gibraltar*.

Oct. 10. The Right Hon. the Earl of *Strathmore* made Captain in Brigadier General *Barrel's* Regiment of Foot.

Oct. 12. *James Spilman*, Esq; one of the Assistants of the *Russia Company*, made one of the Directors of the Royal Hospital at *Greenwich*.

Oct. 16. Died at his House in *Brewer-street*, near *Golden-Square*, the Right Hon. *Bennet*, Earl of *Harborough* in the County of *Leicester*, Viscount *Sherrard*, and Baron of *Le Trim* in *Ireland*, Lord Lieutenant and Custos Rotulorum of the County of *Rutland*, Warden and Chief Justice in Eyre, *North of Trent*.

— The Lady of Sir *Michael Newton*, Knight of the *Bath*, was safely brought to Bed at his House in *Burlington-street*.

Oct. 17. *Owen Wynne*, Esq; Lieutenant General of his Majesty's Forces, appointed Colonel of the Royal Regiment of *Inniskilling Dragoons*, in the Room of General *Ross*, deceased.

— *Thomas Pearce*, Esq; Lieutenant-General of his Majesty's Forces, made Colonel of the Regiment commanded by General *Wynne*.

Oct. 17. Col. *John Cope*, Member of Parliament for *Leskard* in *Cornwall*, made Colonel of the Regiment commanded by General *Pearcé*.

— The Right Hon. *Francis*, Earl *Howard* of *Effingham*, Deputy Earl Marshal of *England*, made Colonel of the Regiment commanded by Col. *Cope*.

Oct. 18. Died at his Seat near *Doncaster* in *Yorkshire*, Sir *George Coke* of *Wheatley*, Bart.

Oct. 19. Died at his Seat in *Scotland*, the Right Hon. *Allan*, Lord *Cathcart*, of that Kingdom.

— Sir *William Humble*, of *Thorpe Underwood* in *Northamptonshire*, married to Miss *Vane*, one of the Daughters of the Lord *Barnard*.

— The Right Hon. the Earl of *Deloraine*, married to the Relict of — *Hearson* of *Lincolnshire*, Esq;

Oct. 21. Died *Thomas Skinner* of *Clapham*, Esq; one of the Coal Meters of this City.

Oct. 23. The Board of Admiralty received Advice by the Post, that on this Day died *Wriothesly Russel*, Duke and Earl of *Bedford*, Marquess of *Tavestock*, Baron *Russel* of *Cheneys*, Baron *Russel* of *Thornhaugh*, and Baron *Howland* of *Strethan* in *Surrey*. He was born in 1708, and succeeded his Father in 1711. In the Year 1725, he married the Lady *Anne Egerton*, only Daughter of *Scroop Duke* of *Bridgwater*, by whom he had no Issue: He died at *Corunna*, commonly called the *Groyne*, in the Kingdom of *Gallicia* in *Spain*, as he was upon a Voyage to *Lisbon*, where he was advised to spend some Time to recover his Health; but after he had been some Days at Sea he found himself so extremely ill, that he desired the Captain to land him at the nearest Port, which chanced to be that above-mentioned; and he died in a few Hours after having been set on Shore. The Honours and Estate descend to his Brother the Lord *John Russel*, who married the Lady *Diana Spencer*, youngest Daughter of *Charles* late Earl of *Sunderland*.

Oct. 24. *Thomas Walker*, Esq; made Surveyor General of his Majesty's Land Revenue.

Oct. 26. Died Dr. *Mowbray*, a noted Man Midwife.

— Died Mrs. *Allen*, Wife of *John Allen*, Esq; one of the Masters in Chancery.

— *Daniel Pettyward*, Esq; married to Mrs. *Lant* of *Putney*.

Oct. 28. Major General *Russel* married to Miss *Barton*, Sister to Mr. *Barton*, an eminent Mercer in *Ludgate Street*.

Oct. 28.

Oct. 28. About this Time came Advice that the Countess of Essex had been delivered of a Son and Heir at Turin.

Oct. 31. Colthorpe Clayton, Esq; Equerry to his Majesty, appointed Avener and Clerk-Marshal to his Majesty.

NOVEMBER.

Nov. 2. George Lewen of Ewel in Surrey, Esq; Representative in Parliament for Wallingford in Buckinghamshire, married to a Sister of Henry Drax, Esq; Representative in Parliament for Lyme Regis in Dorsetshire.

— Edward Williams of Yestyn Colwyn in Montgomeryshire, Esq; was married to Lady Charlotte Maurice, Relict of Edward Maurice of Penabont in Denbighshire, Esq; and Daughter to the Marquess of Powis.

— Died Mr. William Martyn, Clerk to the Commissioners of Sewers of this City.

Nov. 4. Died Thomas Peachell, Esq; one of the Senior Benchers of Grays-Inn.

— Died Mr. Samuel Porter of Hackney, formerly a great Hosier at the Corner of Queen-street Cheapside.

Nov. 5. Died Dr. Ayliffe an eminent Civilian.

— Died Mr. Carleton, of Newington-Green, formerly an eminent Merchant of this City.

Nov. 6. The Lady Diana, Wife to the Right Hon. Lord John Russel, was safely delivered of a Son and Heir, but it liv'd only till the next Day.

Nov. 8. Died Thomas Done of Great Queen-street, Lincoln's-Inn Fields, Esq;

Nov. 9. Died Mr. Horsfield, a Land Waiter of the Custom House in this City.

Nov. 10. Died the Right Hon. Henrietta Countess Dowager of Strafford, Relict of William Earl of Strafford, who died in 1695.

— Died Mr. Philip Leman, an eminent Apothecary on Snow-hill.

Nov. 11. Died Mrs. James, a Widow Lady of Isleworth.

— Died Colonel Fowle, Father of John Fowle, Esq; one of the Commissioners of the Excise.

— The Hon. Miss M'Kenzie, Daughter to Colonel M'Kenzie, and Dresser to the two young Princesses Mary and Louisa, appointed one of her Majesty's Maids of Honour.



Nov. 15. Miss *Paget*, Daughter of Col. *Paget*, appointed one of the Maids of Honour to her Majesty.

Nov. 16. Mr. Deputy *John Smith*, chosen Clerk to the Commissioners of Sewers.

— Died Capt. *Jackson* of *Woodford*, an old experienc'd Officer in the Navy.

— Died Dr. *Middleton Walker*, a famous Man Midwife.

Nov. 18. Died the Right Hon. *Bridget*, Lady Dowager Viscountess *Faulconberg*.

— Died *Christopher Pinchbeck*, the famous Musical Clock Maker in *Fleetstreet*.

— Died at *Gravesend* in *Gloucestershire*, *Robert Stephens*, Esq; Historiographer to his Majesty.

— Died *William Lytton Stroud Robinson* of *Hertfordshire*, Esq;

— Died at *Gloucester*, Sir *John Guise* of *Elmore*, Bart.

Nov. 23. Died Capt. *Martin* of *Ratcliff-Highway*, an old experienc'd Sea Officer.

— The Lady of the Right Hon. the Lord *Powlet* was safely brought to Bed of a Daughter.

— *Wadham Wyndham* of *Lincoln's-Inn*, Esq; was married to Miss *Chandler*, Daughter to the Right Rev. the Lord Bishop of *Durham*.

— Died at his Seat at *Hewell* in *Worcestershire*, the Right Hon. *Other Windsor Hickman*, Earl of *Plymouth*, and Baron *Windsor* of *Bradenham*, aged 25 Years. He left Issue one Son, *Other Lewis Windsor*, who succeeds his Father in the Honour and Estate.

Nov. 25. *John Braithwaite*, Esq; Governor in Chief over all the *African Company's Factory's*, on the South Coast of *Africa*, married to Miss *Cole*.

Nov. 26. Died *Charles Sergison*, Esq; one of the Commissioners of the Navy.

Nov. 27. Died *John Metcalfe*, Esq; Solicitor of the Customs.

— Died Sir *Richard Carpenter*, formerly an eminent Wine Merchant in *Mincing-Lane*.

Nov. 28. Died at his House at the General Post Office, *Edward Harrison*, Esq; one of the Post Masters General. He had formerly been Governor of *Fort St. George* in the *East Indies*.

— *Jenkin Thomas Phillips*, Esq; Preceptor to his Royal Highness the Duke, appointed Historiographer to his Majesty, in the Room of *Robert Stevens*, Esq; deceas'd.



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